

UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF PENNSYLVANIA

UNITED STATES OF AMERICA,	) No. 3:18-CR-97
	)
v.	)
	) (JUDGE MARIANI)
ROSS ROGGIO	)
	)
Defendant	) (Electronically Filed)

**GOVERNMENT'S PROPOSED FORFEITURE JURY INSTRUCTIONS**

The United States of America, by and through undersigned counsel, pursuant to Federal Rule of Criminal Procedure 30, respectfully submits the following proposed forfeiture jury instructions and requests leave to file any supplemental instructions as may appear necessary and proper.

Respectfully submitted,

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**GOVERNMENT'S REQUEST NO. 1**

**Preliminary Forfeiture Instruction Before Jury Begins Deliberations**<sup>1</sup>

*When the Court instructs the jury at the end of trial with respect to its deliberations and the trial verdict, the Government requests that the Court first alert the jury that:*

Depending on the verdict you reach, there may be a brief additional proceeding after you have returned your verdict.

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<sup>1</sup>Third Circuit Model Criminal Jury Instruction § 6.21.853 Modified (April 2015)

## **GOVERNMENT'S REQUEST NO. 2**

### **Preliminary Forfeiture Instructions If the Jury Returns Guilty Verdict** <sup>2</sup>

*If the jury has returned a guilty verdict, at the outset of the forfeiture proceeding before the jury, the Government requests that the Court explain preliminarily the nature and purpose of the forfeiture proceeding that is about to take place, as follows:*

You have found defendant Ross Roggio guilty of a conspiracy to commit an offenses against the United States offense, arms export control act(s), international emergency economic powers act, wire fraud offense(s), money laundering offense(s), as charged in Count(s) (3-6, 9-10, 12-15, 17-19, 21-24, 27-30, 31-34, and 36-39) of the Superseding Indictment. You now will need to consider a further question regarding property that the Superseding Indictment alleges is subject to forfeiture by the defendant to the Government.

Forfeiture means that the defendant would lose any ownership or interest they have or claim to have in the specified property, as a part of the penalty for engaging in criminal activity. After the parties have

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<sup>2</sup>Third Circuit Model Criminal Jury Instruction § 6.21.853 Modified (April 2015)

presented any additional evidence on this subject, I will instruct you further on the law with respect to forfeiture. In considering whether the property is subject to forfeiture, you should consider the evidence you have already heard and any additional evidence presented by the parties. You should evaluate that evidence and its credibility as I explained to you earlier in my instructions.

**GOVERNMENT'S REQUEST NO. 3**

**Forfeiture Instructions at End of Forfeiture Proceeding – Conspiracy to Commit an Offense Against the United States Conspiracy**<sup>3</sup>

*At the end of the forfeiture proceeding, the Government requests that the Court give the following instruction:*

You have found defendant Ross Roggio guilty of a conspiracy to commit an offense against the United States, as charged in Count 3 of the Superseding Indictment. You now need to consider a special verdict concerning property that the Superseding Indictment alleges is subject to forfeiture by the defendant to the Government. Forfeiture means that the defendant would lose any ownership or interest they have or claim to have in the specified property, as a part of the penalty for engaging in criminal activity. I instruct you that you are bound by your previous finding that defendant Ross Roggio is guilty of a conspiracy to commit an offense against the United States violation.

Under federal law, any person convicted of a conspiracy to commit an offense against the United States, in violation of 18 U.S.C. § 371, Count 3, shall forfeit to the Government any property which constitutes

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<sup>3</sup>Third Circuit Model Criminal Jury Instruction § 6.21.853 Modified (April 2015)

or is derived from proceeds traceable to the defendant's conspiracy to commit an offense against the United States violation.

In deciding whether property is subject to forfeiture, you should not concern yourself with or consider whether any other person may own or have an interest in the property. I will resolve any such claims. Similarly, you are not to consider whether the property is presently available. Your only concern is whether the Government has proven the required connection between the property and the offense for which you have found the defendant guilty.

The Superseding Indictment alleges that, because of the connection between the property and the defendant's commission of the conspiracy to commit an offense against the United States violation of Count 3, the following property should be forfeited:

- (A) Real property located at 143 Indian Spring Drive, Stroudsburg, Monroe, County, Pennsylvania, Tax Map or Parcel ID Number 07/86262, current owner of record Ross William Roggio, former owner of record and estranged wife of Ross William Roggio, Kristy Merring-Roggio, with all appurtenances, improvements and attachments thereon, legally described as:

ALL THAT CERTAIN lot, tract piece or parcel of land situate in the Township of Hamilton, County of Monroe, and Commonwealth of Pennsylvania, being described as follows, to wit:

Being Lot No. 13, Section Three, Indian Spring Farm, as shown on a plan of Indian Spring Farm (Section Three) prepared by J. Lavern Marshall drawn June 27, 1988, and recorded in the Office for the Recording Deeds, in and for the County of Monroe, at Stroudsburg, Pennsylvania, in Plot Book 61, Page 116.

- (B) Wells Fargo account #2089401166 titled ROGGIO CONSULTING COMPANY LLC with Ross W. Roggio as an authorized signer on the account;
- (C) Wells Fargo account #2089401158 titled ROGGIO CONSULTING COMPANY LLC with Ross W. Roggio as an authorized signer on the account;
- (D) 2015 BMW Model IS, VIN WBY2Z2C59FV392441 registered to Ross Riggio and Kristy Roggio;
- (E) 2015 Mercedes GL350 BLUETEC, VIN 4JGDF2EEFA606052 registered to Ross William Roggio;
- (F) Four Rolex watches seized from Ross William Roggio more fully described as:
  - 1. Rolex Oyster Perpetual Cosmograph "Daytona" 18K Rose Gold with a chocolate dial with a possible serial no. 4H2E2303;
  - 2. Roles Geneve Cellini 18K Rose Gold with a black leather band and a black dial with a possible serial no. 50525 512F28Q1;
  - 3. Rolex Oyster Perpetual Day Date President with 18K Rose Gold and a possible serial no. H42V39543; and
  - 4. Rolex "Daytona" 18K Yellow Gold, Mother of Pearl and diamond dial with a possible serial no. 8Q0291C3.



(G) Miscellaneous firearms, scopes, sights, bipods, magnifiers and other firearms accessories seized from Ross William Roggio:

1. Long Gun: Armory, Armory-15, 5.56 caliber, Serial #A0084;
2. Lyman, Model 1878, 45/70 caliber, serial number #18780392;
3. Item 44A - Scope Leopold S/N 325343AA with FDE Springfield Armory Model M1A 30 cal S/N 336481;
4. Black Silencer Co Supp. Model Specwar 556 S/N SPW-11021;
5. Item 29A- Scope - From Safe in Basement with Black Rifle w/wooden stock Norinco Rifle Model NDM-86 Cal 7.62x54 S/N 701300;
6. 6 Item 26A-Scope Truglo No S/N with Black Ruger with wooden stock Model 10/22 Cal .22 S/N 0005-51177;
7. Item 23A Eotech sight with Black CMMG 9mm short barrel rifle Model MK9 S/N SMT03019;
8. Item 22A Scope Leupold Mark 4scope S/N 161820AB

with Black Sig Sauer Model MPX Pistol 9mm S/N  
62B02121;

9. Long Gun: KMP Classic Arms, M1919A4, .30 caliber,  
Serial #757163 also #1711;
10. Silencer: Salvo 12, 12 gauge, Serial #SAL12-5198  
Silencer co.;
11. Pistol: Colt, Commemorative Special Ops, .45 caliber,  
Serial #2778280;
12. Pistol: Desert Eagle, S0AE, .50 caliber, Serial #DK-  
0016164;
13. Item 76A: Scope VISM with Long Gun: Ruger, 10/22,  
.22 LR caliber, Serial #824-01532;
14. Long Gun: Ruger, 10/22, .22 LR caliber, Serial #824-  
01532 with Item 76A: scope VISM;
15. Pistol: Heritage, Rough Rider, .22 caliber, Serial  
#C55366;
16. Pistol: Benelli, MP9SE, .22 LR caliber, Serial  
#09070B;
17. Long Gun: CAI, M1 Rifle, 30.06 caliber, Serial

#M111778;

18. Item 72A scope with Long Gun: Moisen Magont, M91/30, 7.62x54 caliber, Serial #M9130S0361 Item 72A scope;
19. Long Gun: Moisen Magont, M91/30T, 7.62x54 caliber, Serial #M9130S03614 with Item 72A scope;
20. Long Gun: Tikka, T-3, .308 Winchester caliber, Serial #059939;
21. Item 70A: Scope Nikon P-223 with Long Gun: Marlin Firearms Co, XT-22, .22 Mag caliber, Serial #MM31665B;
22. Long Gun: Marlin Firearms Co, XT-22, .22 Mag caliber, Serial #MM31665B with Item 70A: Scope Nikon P-223;
23. Long Gun: Savage Arms, 340D, .222 Rem caliber, Serial #197304;
24. Long Gun: Remington, 870, 12 gauge caliber, Serial #RS77066G;
25. Long Gun: Armory, Armory-15, 5.56 caliber, Serial #A0078;

26. Long Gun: Armory, Armory-15, 5.56 caliber, Serial #A0079;
27. Long Gun: Armory, Armory-15, 5.56 caliber, Serial #A0090;
28. Long Gun: Armory, Armory-15, 5.56 caliber, Serial #A0044;
29. Long Gun: Armory, Armory-15, 5.56 caliber, Serial #A0082;
30. Long Gun: Armory, Armory-15, 5.56 caliber, Serial #A0086;
31. Long Gun: Armory, Armory-15, 5.56 caliber, Serial #A0087;
32. Long Gun: Tactical Innovations Inc, Tl5BDX, 5.56 caliber, Serial #86700667;
33. Long Gun: Armory, Armory-15, 5.56 caliber, Serial #A0085;
34. Long Gun: Armory, AR-15, 5.56 caliber, Serial #A0083;
35. Long Gun: Century Arms, Centurian 93 Sporter US, 5.56 caliber, Serial #C9315088;

36. Item 55A: Sight Mark red dot with Long Gun: Tactical Innovations, T15BDX, multi caliber, Serial #86700666;
37. Long Gun: Tactical Innovations, T1SBDX, multi caliber, Serial #86700666 with Item 55A: Sight Mark red dot;
38. Long Gun: Kris, Vector, .45 ACP caliber, Serial #45C016113;
39. Long Gun: Century Arms, Centurian 39 Sporter, 7.62, 39 caliber, Serial #C39WM000661;
40. Long Gun: Romarm, WASR, 7.62 caliber, Serial #A132605-15R0 with Item 52A, Optics, Trijicon RX34;
41. Long Gun: Norinco, model: unknown, 5.56, 45 caliber, Serial #8451316952;
42. Long Gun: Izhmash, Saiga 410, 7.62x39 caliber, Serial #H04200381;
43. Long Gun: Century Arms, 70ABM, 7.62x39 caliber, Serial #WM02-000907;
44. Long Gun: Century Arms, M70-AB2 Sporter, 7.62 caliber, Serial #AB2C103045;

45. Long Gun: Fostech, model: unknown, 12 gauge caliber, Serial #0000465;
46. Item 46B: Bipod with Long Gun: Smith & Wesson, M&P 15-22, .22LR caliber, Serial #HBW5593;
47. Item 46A: Scope Firefield with Long Gun: Smith & Wesson, M&P 15-22, .22LR caliber, Serial #HBW5593;
48. Long Gun: Smith & Wesson, M&P 15-22, .22LR caliber, Serial #HBW5593 with Item 46A: Scope Firefield;
49. Item 45A: Optic, Trijicon RX34 with Long Gun: Heckler & Koch, SL8-1, .223 caliber, Serial #48007304;
50. Long Gun: Heckler & Koch, SL8-1, .223 caliber, Serial #48007304 with Item 45A: Optic, Trijicon RX34;
51. Long Gun: Kel Tech, RFB, 7.62 caliber, Serial #T2555;
52. Item 43A: Aimpoint Micro H-1 with Long Gun: Sturm Ruger, Ranch Rifle, 5.56 caliber, Serial #583-11246;
53. Long Gun: Sturm Ruger, Ranch Rifle, 5.56 caliber, Serial #583-11246 with Item 43A: Aimpoint Micro H-1;
54. Item 42B: Bipod, with Long Gun: Heckler & Koch, SL8-1, .223 caliber, Serial #48009484;

- 55. Item 42A: Scope, Leupold with Long Gun: Heckler & Koch, SL8-1, .223 caliber, Serial #48009484;
- 56. Long Gun: Heckler & Koch, SL8-1, .223 caliber, Serial #48009484 with Item 42A: Scope, Leupold 1x9;
- 57. Long Gun: BFI, BACR, Mark 47, multi caliber, Serial #ACRD00647;
- 58. Item 40B: Optic, EOTECH Magnifier with Long Gun: CMMG Inc., Mark 47, 7.62x39 caliber, Serial #KWT02562;
- 59. Item 40A: Optic, EOTECH red dot with Long Gun: CMMG Inc., Mark 47, 7.62x39 caliber, Serial #KWT02562;
- 60. Long Gun: CMMG Inc., Mark 47, 7.62 x 39 caliber, Serial #KWT02562 with Item 40A: Optic, EOTECH red dot;
- 61. Long Gun: PTR Industries, model: unknown, 3.08 caliber, Serial #AW14102;
- 62. Item 38B: Optic EOTECH Magnifier with Long Gun: Ruger, SR-556, 5.56 caliber, Serial #594-00633;

- 63. Item 38A: Optic EOTECH Holigraphic with Long Gun:  
Ruger, SR-556, 5.56 caliber, Serial #594-00633;
- 64. Long Gun: Ruger, SR-556, 5.56 caliber, Serial #594-  
00633 with Item 38A: Optic EOTECH Holigraphic;
- 65. Item 37A: Optics Trijicon Reflex RX34 with Long Gun:  
FN Hertsal, SCAR, 5.56 caliber, Serial #LC32494;
- 66. Long Gun: FN Hertsal, SCAR, 5.56 caliber, Serial  
#LC32494 with Item 37A: Optics Trijicon Reflex RX34;
- 67. Item 36A: Optics EOTECH with Long Gun: Armory,  
Armory-15, 5.56 caliber, Serial #A0033;
- 68. Long Gun: Armory, Armory-15, 5.56 caliber, Serial  
#A0033 with Item 36A: Optics EOTECH;
- 69. Item 35A: Optics Trijicon Reflex RX34 with Long Gun:  
Tavor, SAR, 5.56 caliber, Serial #T0015911;
- 70. Long Gun: Tavor, SAR, 5.56 caliber, Serial #T0015911  
with Item 35A: Optics Trijicon Reflex RX34;
- 71. Item 34B: Bipod with Long Gun: Remington, Model  
700AAC-SD, .300 AAC Blackout caliber, Serial  
#RR76324C;



- 72. Item 34A: Scope Zeiss Terra with Long Gun:  
Remington, Model 700AAC-SD, .300 AAC Blackout  
caliber, Serial #RR76324C;
- 73. Long Gun: Remington, Model 700AAC-SD, .300 AAC  
Blackout caliber, Serial #RR76324C with Item 34A:  
Scope Zeiss Terra 3X;
- 74. Long Gun: Tavor, 5.56 caliber, Serial #T0055070;
- 75. Item 32A: Scope MSAR PN219 with Long Gun: MSAR,  
STG556, .223 caliber, Serial #600-P002734;
- 76. Item 31A: Optics, EOTECH with long Gun: MSAR,  
XM17E4, .223 caliber, Serial #600-P012022;
- 77. Long Gun: MSAR, STG556, .223 caliber, Serial #600-  
P002734 with Item 32A: Scope MSAR PN219;
- 78. Long Gun: MSAR, XM17E4, .223 caliber, Serial #600-  
P012022 with Item 31A: Optics, EOTECH;
- 79. Item 30B: Optics - aimpoint with Pistol: Glock, 17,  
9mm caliber, Serial #YBV536;
- 80. Item 30A: RONI Pistol carbine conversion with Pistol:  
Glock, 17, 9mm caliber, Serial #YBV536;

81. Pistol: Glock, 17, 9mm caliber, Serial #YBV536, Inside  
Item 30A: RONI Pistol carbine conversion;
82. Item 29B: Bipod with Long Gun: Sig Sauer, 7.62mm  
NATO caliber, Serial #22C013386;
83. Item 29A: Apex Scope with Long Gun: Sig Sauer,  
7.62mm NATO caliber, Serial #22C013386;
84. Long Gun: Sig Sauer, model: MR556, 7.62mm NATO  
caliber, Serial #22C013386 with Item 29A: Apex Scope;
85. Item 28A: Scope ACOG attached to Long Gun: Heckler  
& Koch, MR556, 5.56mm caliber, Serial #241202064;
86. Long Gun: Heckler & Koch, MR556, 5.56mm caliber,  
Serial #241202064 with Item 28A: Scope ACOG;
87. Pistol: Ruger, New Vaquero, 45 Colt caliber, Serial  
#SASS54920;
88. Item 26A Scope Leupold VX-R, Serial # 186502AB with  
Long Gun: Springfield Armory, M1A, 7.62 Caliber,  
Serial #347037;
89. Long Gun: Springfield Armory, M1A, 7.62 Caliber,  
Serial #347037 with Item 26A Scope Leupold VX-R,

Serial #186502AB;

90. Item 25B Bipod with Long Gun: Barrett, 82A1, .50 Caliber, Serial #AA003811;
91. Item 25A Scope Leupold Mark 4 with Long Gun: Barrett, 82A1, .50 Caliber, Serial #AA003811;
92. Long Gun: Barrett, 82A1 .50 Caliber, Serial #AA003811 with Item 25A Scope Leupold Mark 4;
93. Item 24B -Bipod - with Long Gun: Weatherby, Mark 4, Caliber unknown, Serial #BW006739;
94. Item 24A Swarovski Z34-12x50 with Long Gun: Weatherby, Mark 4, Caliber unknown, Serial #BW006739;
95. Long Gun: Weatherby, Mark 4, Caliber unknown, Serial #BW006739 with Item 24A Scope Swarovski Z34-12x50;
96. Item 23A Scope Leupold VX-1 Serial #161831AC with Long Gun: RND, Edge .223 Caliber Serial #2931124;
97. Bipod - Item 23B with Long Gun: RND, Edge .223 Caliber Serial #2931124;

98. Long Gun: RND, Edge .223 Caliber Serial #2931124  
with Scope Leupold VX-1 Serial #161831AC Item 23B;
99. Bipod - Item 21B with Long Gun: Armory, TAC 338,  
.338 Lapua Mag Caliber Serial #TB30928;
100. Bipod - Item 20B with Long Gun: Armory, TAC 338,  
.338 Lapua Mag Caliber Serial #TB30729 Bipod - Item  
20B;
101. Pistol: Heckler & Koch, 95K, 9mm caliber, Serial  
#215002826;
102. Pistol/Revolver: Ruger, New Vaquero .45 caliber, Serial  
#SASS54919;
103. Pistol/Revolver: Pietta, Cimmaron .45 Caliber, Serial  
#E38704;
104. Leupold Mark 4Scope Item 21A attached to Long Gun:  
Armory, TAC 338, .338 Lapua Mag Caliber Serial  
#TB30928;
105. Long Gun: Armory, TAC 338, .338 Lapua Mag Caliber  
Serial #TB30928 with Leupold Mark 4Scope Item 21A;
106. Leupold Mark 4Scope Item 20A attached to Long Gun:

Armory, TAC 338, .338 Lapua Mag Caliber Serial  
#TB30729;

107. Long Gun: Armory, TAC 338, .338 Lapua Mag Caliber  
Serial #TB30729 with Leupold Mark 4Scope Item 20A;

108. Pistol/Revolver: A. Uberti, 1873, model unknown, .45  
Caliber, Serial #P37550;

109. Pistol/Revolver: Old Saybrook, Traditions 45 Colt  
caliber, Serial #E58949;

110. Pistol/Revolver: Filipietta, model unknown, .44 Caliber,  
Serial #653026;

111. Pistol/Revolver: Ruger, New Vaquero .45 colt caliber,  
Serial #512-64623;

112. Pistol/Revolver: A. Uberti, 1873 .45 colt caliber, Serial  
#TC6294;

113. Pistol/Revolver: A. Uberti, Cimarron .45 colt caliber,  
Serial #P37551;

114. 6A Scope Hi-Lux Optics Serial #003175 attached to  
Long Gun: RRMW, Replica 1903, 30.06 Serial  
#3998129, 6A Scope Hi-Lux Optics Serial #003175;

- 115. Item 3A Sight Mark Optics attached to Long Gun;  
Masterpiece Arms, Defender, 9mm caliber, Serial  
#B985076;
- 116. Pistol/Revolver: Old Saybrook CZ, Traditions 45 colt  
caliber, Serial #E57108;
- 117. Long Gun: Taurus, R92 .45 Colt caliber Serial  
#AM217918;
- 118. Long Gun: CZ-USA, Huglu Hammer Classic Shotgun,  
12 Gauge Serial #15O3244.
- 119. Long Gun: Taurus, R92 .45 Colt caliber Serial  
#51T20531;
- 120. Long Gun: RRMW, Replica 1903, 30.06 Serial  
#3998129, 6A Scope Hi-Lux Optics Serial #003175;
- 121. Long Gun; DSA SA58 .308 Caliber Serial #DS41249;
- 122. Long Gun; FNH Scar 17S, 7.62x51mm Serial  
#HC43137;
- 123. Long Gun; Masterpiece Arms, Defender, 9mm caliber,  
Serial #FJ00408 with Item 3A Optics;
- 124. Long Gun; CZ-USA Scorpion EV0351 9x19mm Serial

#EV0351;

125. Long gun: Sig Sauer, MPX 9mm Serial #62B023427;
126. FDE Springfield Armory Model M1A 30 cal S/N 336481  
with Item 44A - Scope Leopold S/N 325343AA.
127. Black Advanced Armament Corp Suppressor Model  
Cyclops 50 S/N 500330 in case;
128. FDE Surefire Suppressor SOCOM556 S/N A51N01332;
129. FDE Surefire Suppressor SOCOM556 S/N A51N01331;
130. Black SWR Suppressor Mod Specwar S/N SW762-2289;
131. Black Silencer Co Supp. Model Specwar 556 S/N SPW-  
11020;
132. Black Griffin Armament Suppressor Model RECCES  
S/N REC5-0027;
133. 1Black Silencer co Suppressor Specwar S/N SW-762-  
4578;
134. Black Griffin Armament Suppressor Model Recces S/N  
REC5-0026;
135. Black Griffin Armament Suppressor Model Spartan3  
S/N SP3-0080;

136. Black YHM Suppressor Mod. Phantom M2 S/N  
Y19391;
137. Black YHM Suppressor Mod. Phantom M2 S/N  
Y17980;
138. Black TBAC Suppressor Model 3388A S/N 51491;
139. Black TBAC Suppressor Model 3388A S/N 51490;
140. Black Rifle w/wooden stock Norinco Rifle Model NDM-  
86 Cal 7.62x54 S/N 701300 with Item 29A- Scope -  
From Safe in Basement;
141. Black Armory AR-15 rifle Model Armory-15 .223 cal  
S/N A0091 From Safe in Basement;
142. OD green P of USA AR-10 Rifle Model P-308 S/N  
12BA-13062 .38cal;
143. Black Ruger with wooden stock Model 10/22 Cal .22  
S/N 0005-51177 with Item 26A- Scope Truglo;
144. Black Armory AR15 Rifle Model Armory-15 cal .223  
S/N A0092;
145. Black Zenith firearms short barrel rifle Model  
MKEZ5RS 9mm S/N T0624-15BH01066;



- 146. Black CMMG 9mm short barrel rifle Model MK9 S/N SMT03019 with Item 23A EOTECH sight attached;
- 147. Item 22B - Black Suppressor attached to item #22, Griffin Armament Suppressor Revolution 9mm S/N REV9-0232.
- 148. Black Sig Sauer Model MPX Pistol 9mm S/N 62B02121 with Item 22A Scope Leupold Mark 4scope S/N 161820AB and Item 22B Black suppressor attached to item #22, S/N REV9-0232;
- 149. Black Zenith Firearms short barrel rifle Model MKE25P 9mm S/N T0624-15BK00800;
- 150. Attached to Item #19 Black Advanced Armament Corp. Suppressor Model element #2, S/N E106548;
- 151. Black Walther Model P22 22cal S/N WA094850 with attached Item 20 Black Advanced Armament Corp. Suppressor Model element# 2 S/N E106548;
- 152. Item 17A- Black Griffin Armament Suppressor Revolution 9 S/N REV9-0294 with Black/Tan Springfield Armory Model XD9 pistol S/N MG436167

9mm;

153. Black/Tan Springfield Armory Model XD9 pistol,  
caliber 9mm, S/N MG436167 9mm with Item 17A  
Black Griffin Armament Suppressor Revolution 9 S/N  
REV9-0294;
154. Black Springfield Armory Operator 45 cal. pistol S/N  
LW132150;
155. Black Glock Model 19 9mm pistol S/N ZFW272;
156. Black Colt Cobra 38 Spec. revolver S/N A73054;
157. Black Colt Python 357 mag. revolver S/N 82749E;
158. Black Colt Python 357 mag. revolver S/N K39803;
159. Black Colt Python 357 mag. revolver S/N 42376E;
160. Black Springfield Armory Champion Operator 45 cal  
pistol S/N LW134249;
161. Black Berretta 92FS 9mm S/N BER678157;
162. Silver Colt Anaconda 44 mag revolver S/N MM48433;
163. Black Glock Model 17 9mm S/N YZA710;
164. Springfield Armory NRA 125th Anniversary #295 of  
525, model 1076, 45 cal. S/N N342895;

165. Silver Smith & Wesson pistol Model 1076, caliber unknown, serial: THB9323;

166. Black Silencer Suppressor Model Octane 45 HD S/N OCT45-5275;

167. Black Remington Model 1911 RI Pistol 45 cal. Serial: RHN39374A;

168. Black Glock Pistol Model 26 9mm S/N ZAN199; and

169. Black Smith & Wesson Pro Series 45 cal. S/N UCW6022.

This property is subject to forfeiture if you find that the Government has proved by a preponderance of the evidence that the property constitutes or is derived from proceeds traceable to the offense.

Property that is considered “proceeds” of a conspiracy to commit an offense against the United States, in violation of 18 U.S.C. § 371, Count 3, includes:

- (1) property of any kind obtained directly or indirectly as a result of the commission of the offense giving rise to forfeiture and any property traceable thereto.

Proceeds are not limited to the net gain or profits realized from

the underlying unlawful activity.

Property that is considered “traceable” property of a conspiracy to commit an offense against the United States, in violation of 18 U.S.C. § 371, Count 3, includes:

- (1) property to which you can trace, in any way, to property that was involved as proceeds or facilitating property in the conspiracy to commit an offense against the United States.

You are instructed that forfeitable property includes any property, real or personal, which constitutes or is derived from proceeds traceable to the commission of the defendant’s conspiracy to commit an offense against the United States violation.

**GOVERNMENT'S REQUEST NO. 4**

**Forfeiture Instructions at End of Forfeiture Proceeding – Arms Export Control Act<sup>4</sup>**

*At the end of the forfeiture proceeding, the Government requests that the Court give the following instruction:*

You have found defendant Ross Roggio guilty of a arms export control act, as charged in Counts 4 and 6 of the Superseding Indictment. You now need to consider a special verdict concerning property that the Superseding Indictment alleges is subject to forfeiture by the defendant to the Government. Forfeiture means that the defendant would lose any ownership or interest they have or claim to have in the specified property, as a part of the penalty for engaging in criminal activity. I instruct you that you are bound by your previous finding that Ross Roggio is guilty of the arms export control act violation.

Under federal law, any person convicted of the arms export control act in violation of 22 U.S.C. § 2778(b), Counts 4 and 6, shall forfeit to the Government any property which constitutes or is derived from

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<sup>4</sup>Third Circuit Model Criminal Jury Instruction § 6.21.853 Modified (April 2015)

proceeds traceable to the offense(s) of the defendant's arms export control act violation.

In deciding whether property is subject to forfeiture, you should not concern yourself with or consider whether any other person may own or have an interest in the property. I will resolve any such claims. Similarly, you are not to consider whether the property is presently available. Your only concern is whether the Government has proven the required connection between the property and the offense(s) for which you have found the defendant guilty.

The Indictment alleges that, because of the connection between this property and the defendant's commission of the arms export control act violation of Counts 4 and 6, the following property should be forfeited:

- (A) Real property located at 143 Indian Spring Drive, Stroudsburg, Monroe, County, Pennsylvania, Tax Map or Parcel ID Number 07/86262, current owner of record Ross William Roggio, former owner of record and estranged wife of Ross William Roggio, Kristy Merring-Roggio, with all appurtenances, improvements and attachments thereon, legally described as:

ALL THAT CERTAIN lot, tract piece or parcel of land situate in the Township of Hamilton, County of Monroe, and Commonwealth of Pennsylvania, being described as follows, to wit:

Being Lot No. 13, Section Three, Indian Spring Farm, as shown on a plan of Indian Spring Farm (Section Three) prepared by J. Lavern Marshall drawn June 27, 1988, and recorded in the Office for the Recording Deeds, in and for the County of Monroe, at Stroudsburg, Pennsylvania, in Plot Book 61, Page 116.

- (B) Wells Fargo account #2089401166 titled ROGGIO CONSULTING COMPANY LLC with Ross W. Roggio as an authorized signer on the account;
- (C) Wells Fargo account #2089401158 titled ROGGIO CONSULTING COMPANY LLC with Ross W. Roggio as an authorized signer on the account;
- (D) 2015 BMW Model IS, VIN WBY2Z2C59FV392441 registered to Ross Riggio and Kristy Roggio;
- (E) 2015 Mercedes GL350 BLUETEC, VIN 4JGDF2EEFA606052 registered to Ross William Roggio;
- (F) Four Rolex watches seized from Ross William Roggio more fully described as:
  - 1. Rolex Oyster Perpetual Cosmograph “Daytona” 18K Rose Gold with a chocolate dial with a possible serial no. 4H2E2303;
  - 2. Roles Geneve Cellini 18K Rose Gold with a black leather band and a black dial with a possible serial no. 50525 512F28Q1;
  - 3. Rolex Oyster Perpetual Day Date President with 18K Rose Gold and a possible serial no. H42V39543; and
  - 4. Rolex “Daytona” 18K Yellow Gold, Mother of Pearl and diamond dial with a possible serial no. 8Q0291C3.

(G) Miscellaneous firearms, scopes, sights, bipods, magnifiers and other firearms accessories seized from Ross William Roggio:

1. Long Gun: Armory, Armory-15, 5.56 caliber, Serial #A0084;
2. Lyman, Model 1878, 45/70 caliber, serial number #18780392;
3. Item 44A - Scope Leopold S/N 325343AA with FDE Springfield Armory Model M1A 30 cal S/N 336481;
4. Black Silencer Co Supp. Model Specwar 556 S/N SPW-11021;
5. Item 29A- Scope - From Safe in Basement with Black Rifle w/wooden stock Norinco Rifle Model NDM-86 Cal 7.62x54 S/N 701300;
6. 6 Item 26A-Scope Truglo No S/N with Black Ruger with wooden stock Model 10/22 Cal .22 S/N 0005-51177;
7. Item 23A Eotech sight with Black CMMG 9mm short barrel rifle Model MK9 S/N SMT03019;



8. Item 22A Scope Leupold Mark 4scope S/N 161820AB  
with Black Sig Sauer Model MPX Pistol 9mm S/N  
62B02121;
9. Long Gun: KMP Classic Arms, M1919A4, .30 caliber,  
Serial #757163 also #1711;
10. Silencer: Salvo 12, 12 gauge, Serial #SAL12-5198  
Silencer co.;
11. Pistol: Colt, Commemorative Special Ops, .45 caliber,  
Serial #2778280;
12. Pistol: Desert Eagle, S0AE, .50 caliber, Serial #DK-  
0016164;
13. Item 76A: Scope VISM with Long Gun: Ruger, 10/22,  
.22 LR caliber, Serial #824-01532;
14. Long Gun: Ruger, 10/22, .22 LR caliber, Serial #824-  
01532 with Item 76A: scope VISM;
15. Pistol: Heritage, Rough Rider, .22 caliber, Serial  
#C55366;
16. Pistol: Benelli, MP9SE, .22 LR caliber, Serial  
#09070B;

17. Long Gun: CAI, M1 Rifle, 30.06 caliber, Serial #M111778;
18. Item 72A scope with Long Gun: Moisen Magont, M91/30, 7.62x54 caliber, Serial #M9130S0361 Item 72A scope;
19. Long Gun: Moisen Magont, M91/30T, 7.62x54 caliber, Serial #M9130S03614 with Item 72A scope;
20. Long Gun: Tikka, T-3, .308 Winchester caliber, Serial #059939;
21. Item 70A: Scope Nikon P-223 with Long Gun: Marlin Firearms Co, XT-22, .22 Mag caliber, Serial #MM31665B;
22. Long Gun: Marlin Firearms Co, XT-22, .22 Mag caliber, Serial #MM31665B with Item 70A: Scope Nikon P-223;
23. Long Gun: Savage Arms, 340D, .222 Rem caliber, Serial #197304;
24. Long Gun: Remington, 870, 12 gauge caliber, Serial #RS77066G;
25. Long Gun: Armory, Armory-15, 5.56 caliber, Serial

#A0078;

26. Long Gun: Armory, Armory-15, 5.56 caliber, Serial

#A0079;

27. Long Gun: Armory, Armory-15, 5.56 caliber, Serial

#A0090;

28. Long Gun: Armory, Armory-15, 5.56 caliber, Serial

#A0044;

29. Long Gun: Armory, Armory-15, 5.56 caliber, Serial

#A0082;

30. Long Gun: Armory, Armory-15, 5.56 caliber, Serial

#A0086;

31. Long Gun: Armory, Armory-15, 5.56 caliber, Serial

#A0087;

32. Long Gun: Tactical Innovations Inc, Tl5BDX, 5.56

caliber, Serial #86700667;

33. Long Gun: Armory, Armory-15, 5.56 caliber, Serial

#A0085;

34. Long Gun: Armory, AR-15, 5.56 caliber, Serial #A0083;

35. Long Gun: Century Arms, Centurian 93 Sporter US,

5.56 caliber, Serial #C9315088;

36. Item 55A: Sight Mark red dot with Long Gun: Tactical Innovations, T15BDX, multi caliber, Serial #86700666;
37. Long Gun: Tactical Innovations, T1SBDX, multi caliber, Serial #86700666 with Item 55A: Sight Mark red dot;
38. Long Gun: Kris, Vector, .45 ACP caliber, Serial #45C016113;
39. Long Gun: Century Arms, Centurian 39 Sporter, 7.62, 39 caliber, Serial #C39WM000661;
40. Long Gun: Romarm, WASR, 7.62 caliber, Serial #A132605-15R0 with Item 52A, Optics, Trijicon RX34;
41. Long Gun: Norinco, model:unknown, 5.56, 45 caliber, Serial #8451316952;
42. Long Gun: Izhmash, Saiga 410, 7.62x39 caliber, Serial #H04200381;
43. Long Gun: Century Arms, 70ABM, 7.62x39 caliber, Serial #WM02-000907;
44. Long Gun: Century Arms, M70-AB2 Sporter, 7.62

caliber, Serial #AB2C103045;

45. Long Gun: Fostech, model: unknown, 12 gauge caliber, Serial #0000465;
46. Item 46B: Bipod with Long Gun: Smith & Wesson, M&P 15-22, .22LR caliber, Serial #HBW5593;
47. Item 46A: Scope Firefield with Long Gun: Smith & Wesson, M&P 15-22, .22LR caliber, Serial #HBW5593;
48. Long Gun: Smith & Wesson, M&P 15-22, .22LR caliber, Serial #HBW5593 with Item 46A: Scope Firefield;
49. Item 45A: Optic, Trijicon RX34 with Long Gun: Heckler & Koch, SL8-1, .223 caliber, Serial #48007304;
50. Long Gun: Heckler & Koch, SL8-1, .223 caliber, Serial #48007304 with Item 45A: Optic, Trijicon RX34;
51. Long Gun: Kel Tech, RFB, 7.62 caliber, Serial #T2555;
52. Item 43A: Aimpoint Micro H-1 with Long Gun: Sturm Ruger, Ranch Rifle, 5.56 caliber, Serial #583-11246;
53. Long Gun: Sturm Ruger, Ranch Rifle, 5.56 caliber, Serial #583-11246 with Item 43A: Aimpoint Micro H-1;
54. Item 42B: Bipod, with Long Gun: Heckler & Koch, SL8-

- 1, .223 caliber, Serial #48009484;
55. Item 42A: Scope, Leupold with Long Gun: Heckler & Koch, SL8-1, .223 caliber, Serial #48009484;
56. Long Gun: Heckler & Koch, SL8-1, .223 caliber, Serial #48009484 with Item 42A: Scope, Leupold 1x9;
57. Long Gun: BFI, BACR, Mark 47, multi caliber, Serial #ACRD00647;
58. Item 40B: Optic, EOTECH Magnifier with Long Gun: CMMG Inc., Mark 47, 7.62x39 caliber, Serial #KWT02562;
59. Item 40A: Optic, EOTECH red dot with Long Gun: CMMG Inc., Mark 47, 7.62x39 caliber, Serial #KWT02562;
60. Long Gun: CMMG Inc., Mark 47, 7.62 x 39 caliber, Serial #KWT02562 with Item 40A: Optic, EOTECH red dot;
61. Long Gun: PTR Industries, model: unknown, 3.08 caliber, Serial #AW14102;
62. Item 38B: Optic EOTECH Magnifier with Long Gun:

Ruger, SR-556, 5.56 caliber, Serial #594-00633;

63. Item 38A: Optic EOTECH Holigraphic with Long Gun:

Ruger, SR-556, 5.56 caliber, Serial #594-00633;

64. Long Gun: Ruger, SR-556, 5.56 caliber, Serial #594-00633 with Item 38A: Optic EOTECH Holigraphic;

65. Item 37A: Optics Trijicon Reflex RX34 with Long Gun:

FN Hertsal, SCAR, 5.56 caliber, Serial #LC32494;

66. Long Gun: FN Hertsal, SCAR, 5.56 caliber, Serial #LC32494 with Item 37A: Optics Trijicon Reflex RX34;

67. Item 36A: Optics EOTECH with Long Gun: Armory, Armory-15, 5.56 caliber, Serial #A0033;

68. Long Gun: Armory, Armory-15, 5.56 caliber, Serial #A0033 with Item 36A: Optics EOTECH;

69. Item 35A: Optics Trijicon Reflex RX34 with Long Gun: Tavor, SAR, 5.56 caliber, Serial #T0015911;

70. Long Gun: Tavor, SAR, 5.56 caliber, Serial #T0015911 with Item 35A: Optics Trijicon Reflex RX34;

71. Item 34B: Bipod with Long Gun: Remington, Model 700AAC-SD, .300 AAC Blackout caliber, Serial

#RR76324C;

72. Item 34A: Scope Zeiss Terra with Long Gun:  
Remington, Model 700AAC-SD, .300 AAC Blackout  
caliber, Serial #RR76324C;
73. Long Gun: Remington, Model 700AAC-SD, .300 AAC  
Blackout caliber, Serial #RR76324C with Item 34A:  
Scope Zeiss Terra 3X;
74. Long Gun: Tavor, 5.56 caliber, Serial #T0055070;
75. Item 32A: Scope MSAR PN219 with Long Gun: MSAR,  
STG556, .223 caliber, Serial #600-P002734;
76. Item 31A: Optics, EOTECH with long Gun: MSAR,  
XM17E4, .223 caliber, Serial #600-P012022;
77. Long Gun: MSAR, STG556, .223 caliber, Serial #600-  
P002734 with Item 32A: Scope MSAR PN219;
78. Long Gun: MSAR, XM17E4, .223 caliber, Serial #600-  
P012022 with Item 31A: Optics, EOTECH;
79. Item 30B: Optics - aimpoint with Pistol: Glock, 17,  
9mm caliber, Serial #YBV536;
80. Item 30A: RONI Pistol carbine conversion with Pistol:



Glock, 17, 9mm caliber, Serial #YBV536;

81. Pistol: Glock, 17, 9mm caliber, Serial #YBV536, Inside  
Item 30A: RONI Pistol carbine conversion;
82. Item 29B: Bipod with Long Gun: Sig Sauer, 7.62mm  
NATO caliber, Serial #22C013386;
83. Item 29A: Apex Scope with Long Gun: Sig Sauer,  
7.62mm NATO caliber, Serial #22C013386;
84. Long Gun: Sig Sauer, model: MR556, 7.62mm NATO  
caliber, Serial #22C013386 with Item 29A: Apex Scope;
85. Item 28A: Scope ACOG attached to Long Gun: Heckler  
& Koch, MR556, 5.56mm caliber, Serial #241202064;
86. Long Gun: Heckler & Koch, MR556, 5.56mm caliber,  
Serial #241202064 with Item 28A: Scope ACOG;
87. Pistol: Ruger, New Vaquero, 45 Colt caliber, Serial  
#SASS54920;
88. Item 26A Scope Leupold VX-R, Serial # 186502AB with  
Long Gun: Springfield Armory, M1A, 7.62 Caliber,  
Serial #347037;
89. Long Gun: Springfield Armory, M1A, 7.62 Caliber,

Serial #347037 with Item 26A Scope Leupold VX-R,  
Serial #186502AB;

90. Item 25B Bipod with Long Gun: Barrett, 82A1, .50  
Caliber, Serial #AA003811;
91. Item 25A Scope Leupold Mark 4 with Long Gun:  
Barrett, 82A1, .50 Caliber, Serial #AA003811;
92. Long Gun: Barrett, 82A1 .50 Caliber, Serial  
#AA003811 with Item 25A Scope Leupold Mark 4;
93. Item 24B -Bipod - with Long Gun: Weatherby, Mark 4,  
Caliber unknown, Serial #BW006739;
94. Item 24A Swarovski Z34-12x50 with Long Gun:  
Weatherby, Mark 4, Caliber unknown, Serial  
#BW006739;
95. Long Gun: Weatherby, Mark 4, Caliber unknown,  
Serial #BW006739 with Item 24A Scope Swarovski  
Z34-12x50;
96. Item 23A Scope Leupold VX-1 Serial #161831AC with  
Long Gun: RND, Edge .223 Caliber Serial #2931124;
97. Bipod - Item 23B with Long Gun: RND, Edge .223

Caliber Serial #2931124;

98. Long Gun: RND, Edge .223 Caliber Serial #2931124  
with Scope Leupold VX-1 Serial #161831AC Item 23B;
99. Bipod - Item 21B with Long Gun: Armory, TAC 338,  
.338 Lapua Mag Caliber Serial #TB30928;
100. Bipod - Item 20B with Long Gun: Armory, TAC 338,  
.338 Lapua Mag Caliber Serial #TB30729 Bipod - Item  
20B;
101. Pistol: Heckler & Koch, 95K, 9mm caliber, Serial  
#215002826;
102. Pistol/Revolver: Ruger, New Vaquero .45 caliber, Serial  
#SASS54919;
103. Pistol/Revolver: Pietta, Cimmarron .45 Caliber, Serial  
#E38704;
104. Leupold Mark 4Scope Item 21A attached to Long Gun:  
Armory, TAC 338, .338 Lapua Mag Caliber Serial  
#TB30928;
105. Long Gun: Armory, TAC 338, .338 Lapua Mag Caliber  
Serial #TB30928 with Leupold Mark 4Scope Item 21A;

106. Leupold Mark 4Scope Item 20A attached to Long Gun:  
Armory, TAC 338, .338 Lapua Mag Caliber Serial  
#TB30729;
107. Long Gun: Armory, TAC 338, .338 Lapua Mag Caliber  
Serial #TB30729 with Leupold Mark 4Scope Item 20A;
108. Pistol/Revolver: A. Uberti, 1873, model unknown, .45  
Caliber, Serial #P37550;
109. Pistol/Revolver: Old Saybrook, Traditions 45 Colt  
caliber, Serial #E58949;
110. Pistol/Revolver: Filipietta, model unknown, .44 Caliber,  
Serial #653026;
111. Pistol/Revolver: Ruger, New Vaquero .45 colt caliber,  
Serial #512-64623;
112. Pistol/Revolver: A. Uberti, 1873 .45 colt caliber, Serial  
#TC6294;
113. Pistol/Revolver: A. Uberti, Cimarron .45 colt caliber,  
Serial #P37551;
114. 6A Scope Hi-Lux Optics Serial #003175 attached to  
Long Gun: RRMW, Replica 1903, 30.06 Serial

#3998129, 6A Scope Hi-Lux Optics Serial #003175;

115. Item 3A Sight Mark Optics attached to Long Gun;

Masterpiece Arms, Defender, 9mm caliber, Serial  
#B985076;

116. Pistol/Revolver: Old Saybrook CZ, Traditions 45 colt  
caliber, Serial #E57108;

117. Long Gun: Taurus, R92 .45 Colt caliber Serial  
#AM217918;

118. Long Gun: CZ-USA, Huglu Hammer Classic Shotgun,  
12 Gauge Serial #15O3244.

119. Long Gun: Taurus, R92 .45 Colt caliber Serial  
#51T20531;

120. Long Gun: RRMW, Replica 1903, 30.06 Serial  
#3998129, 6A Scope Hi-Lux Optics Serial #003175;

121. Long Gun; DSA SA58 .308 Caliber Serial #DS41249;

122. Long Gun; FNH Scar 17S, 7.62x51mm Serial  
#HC43137;

123. Long Gun; Masterpiece Arms, Defender, 9mm caliber,  
Serial #FJ00408 with Item 3A Optics;

124. Long Gun; CZ-USA Scorpion EV0351 9x19mm Serial #EV0351;
125. Long gun: Sig Sauer, MPX 9mm Serial #62B023427;
126. FDE Springfield Armory Model M1A 30 cal S/N 336481 with Item 44A - Scope Leopold S/N 325343AA.
127. Black Advanced Armorment Corp Suppressor Model Cyclops 50 S/N 500330 in case;
128. FDE Surefire Suppressor SOCOM556 S/N A51N01332;
129. FDE Surefire Suppressor SOCOM556 S/N A51N01331;
130. Black SWR Suppressor Mod Specwar S/N SW762-2289;
131. Black Silencer Co Supp. Model Specwar 556 S/N SPW-11020;
132. Black Griffin Armament Suppressor Model RECCES S/N REC5-0027;
133. 1Black Silencer co Suppressor Specwar S/N SW-762-4578;
134. Black Griffin Armament Suppressor Model Recces S/N REC5-0026;
135. Black Griffin Armament Suppressor Model Spartan3

S/N SP3-0080;

136. Black YHM Suppressor Mod. Phantom M2 S/N

Y19391;

137. Black YHM Suppressor Mod. Phantom M2 S/N

Y17980;

138. Black TBAC Suppressor Model 3388A S/N 51491;

139. Black TBAC Suppressor Model 3388A S/N 51490;

140. Black Rifle w/wooden stock Norinco Rifle Model NDM-

86 Cal 7.62x54 S/N 701300 with Item 29A- Scope -

From Safe in Basement;

141. Black Armory AR-15 rifle Model Armory-15 .223 cal

S/N A0091 From Safe in Basement;

142. OD green P of USA AR-10 Rifle Model P-308 S/N

12BA-13062 .38cal;

143. Black Ruger with wooden stock Model 10/22 Cal .22

S/N 0005-51177 with Item 26A- Scope Truglo;

144. Black Armory AR15 Rifle Model Armory-15 cal .223

S/N A0092;

145. Black Zenith firearms short barrel rifle Model

MKEZ5RS 9mm S/N T0624-15BH01066;

146. Black CMMG 9mm short barrel rifle Model MK9 S/N SMT03019 with Item 23A EOTECH sight attached;
147. Item 22B - Black Suppressor attached to item #22, Griffin Armament Suppressor Revolution 9mm S/N REV9-0232.
148. Black Sig Sauer Model MPX Pistol 9mm S/N 62B02121 with Item 22A Scope Leupold Mark 4scope S/N 161820AB and Item 22B Black suppressor attached to item #22, S/N REV9-0232;
149. Black Zenith Firearms short barrel rifle Model MKE25P 9mm S/N T0624-15BK00800;
150. Attached to Item #19 Black Advanced Armament Corp. Suppressor Model element #2, S/N E106548;
151. Black Walther Model P22 22cal S/N WA094850 with attached Item 20 Black Advanced Armament Corp. Suppressor Model element# 2 S/N E106548;
152. Item 17A- Black Griffin Armament Suppressor Revolution 9 S/N REV9-0294 with Black/Tan



Springfield Armory Model XD9 pistol S/N MG436167  
9mm;

153. Black/Tan Springfield Armory Model XD9 pistol,  
caliber 9mm, S/N MG436167 9mm with Item 17A  
Black Griffin Armament Suppressor Revolution 9 S/N  
REV9-0294;
154. Black Springfield Armory Operator 45 cal. pistol S/N  
LW132150;
155. Black Glock Model 19 9mm pistol S/N ZFW272;
156. Black Colt Cobra 38 Spec. revolver S/N A73054;
157. Black Colt Python 357 mag. revolver S/N 82749E;
158. Black Colt Python 357 mag. revolver S/N K39803;
159. Black Colt Python 357 mag. revolver S/N 42376E;
160. Black Springfield Armory Champion Operator 45 cal  
pistol S/N LW134249;
161. Black Berretta 92FS 9mm S/N BER678157;
162. Silver Colt Anaconda 44 mag revolver S/N MM48433;
163. Black Glock Model 17 9mm S/N YZA710;
164. Springfield Armory NRA 125th Anniversary #295 of

525, model 1076, 45 cal. S/N N342895;

165. Silver Smith & Wesson pistol Model 1076, caliber unknown, serial: THB9323;

166. Black Silencer Suppressor Model Octane 45 HD S/N OCT45-5275;

167. Black Remington Model 1911 RI Pistol 45 cal. Serial: RHN39374A;

168. Black Glock Pistol Model 26 9mm S/N ZAN199; and

169. Black Smith & Wesson Pro Series 45 cal. S/N UCW6022.

This property is subject to forfeiture if you find that the Government has proved by a preponderance of the evidence that the property constitutes or is derived from proceeds traceable to the offense.

Property that is considered “proceeds” of an arms export control act, in violation of 22 U.S.C. § 2778(b), Counts 4 and 6, includes:

- (1) property of any kind obtained directly or indirectly as a result of the commission of the offense giving rise to forfeiture and any property traceable thereto.

Proceeds are not limited to the net gain or profits realized from

the underlying unlawful activity.

Property that is considered “traceable” property of an arms export control act, in violation of 22 U.S.C. § 2778(b), Counts 4 and 6, includes:

- (1) property to which you can trace, in any way, to property that was involved as proceeds or facilitating property in the arms export control act violation.

You are instructed that forfeitable property includes any property, real or personal, which constitutes or is derived from proceeds traceable to the commission of the defendant’s arms export control act violation.

**GOVERNMENT'S REQUEST NO. 5**

**Forfeiture Instructions at End of Forfeiture Proceeding – International  
Emergency Economic Powers Act** <sup>5</sup>

*At the end of the forfeiture proceeding, the Government requests that  
the Court give the following instruction:*

You have found defendant Ross Roggio guilty of international emergency economic powers act violation, as charged in Count 5 of the Superseding Indictment. You now need to consider a special verdict concerning property that the Superseding Indictment alleges is subject to forfeiture by the defendant to the Government. Forfeiture means that the defendant would lose any ownership or interest they have or claim to have in the specified property, as a part of the penalty for engaging in criminal activity. I instruct you that you are bound by your previous finding that Ross Roggio is guilty of the international emergency economic powers act violation.

Under federal law, any person convicted of the international emergency economic powers act, in violation of 50 U.S.C. § 1705(c), Count 5, shall forfeit to the Government any property which constitutes

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<sup>5</sup>Third Circuit Model Criminal Jury Instruction § 6.21.853 Modified (April 2015)

or is derived from proceeds traceable to the offense of the defendant's international emergency economic powers act violation.

In deciding whether property is subject to forfeiture, you should not concern yourself with or consider whether any other person may own or have an interest in the property. I will resolve any such claims. Similarly, you are not to consider whether the property is presently available. Your only concern is whether the Government has proven the required connection between the property and the offense for which you have found the defendant guilty.

The Indictment alleges that, because of the connection between this property and the defendant's commission of the international emergency economic powers act violation of Count 5, the following property should be forfeited:

- (A) Real property located at 143 Indian Spring Drive, Stroudsburg, Monroe, County, Pennsylvania, Tax Map or Parcel ID Number 07/86262, current owner of record Ross William Roggio, former owner of record and estranged wife of Ross William Roggio, Kristy Merring-Roggio, with all appurtenances, improvements and attachments thereon, legally described as:

ALL THAT CERTAIN lot, tract piece or parcel of land situate in the Township of Hamilton, County of Monroe, and Commonwealth of Pennsylvania, being described as follows, to wit:

Being Lot No. 13, Section Three, Indian Spring Farm, as shown on a plan of Indian Spring Farm (Section Three) prepared by J. Lavern Marshall drawn June 27, 1988, and recorded in the Office for the Recording Deeds, in and for the County of Monroe, at Stroudsburg, Pennsylvania, in Plot Book 61, Page 116.

- (B) Wells Fargo account #2089401166 titled ROGGIO CONSULTING COMPANY LLC with Ross W. Roggio as an authorized signer on the account;
- (C) Wells Fargo account #2089401158 titled ROGGIO CONSULTING COMPANY LLC with Ross W. Roggio as an authorized signer on the account;
- (D) 2015 BMW Model IS, VIN WBY2Z2C59FV392441 registered to Ross Riggio and Kristy Roggio;
- (E) 2015 Mercedes GL350 BLUETEC, VIN 4JGDF2EEFA606052 registered to Ross William Roggio;
- (F) Four Rolex watches seized from Ross William Roggio more fully described as:
  - 1. Rolex Oyster Perpetual Cosmograph "Daytona" 18K Rose Gold with a chocolate dial with a possible serial no. 4H2E2303;
  - 2. Roles Geneve Cellini 18K Rose Gold with a black leather band and a black dial with a possible serial no. 50525 512F28Q1;
  - 3. Rolex Oyster Perpetual Day Date President with 18K Rose Gold and a possible serial no. H42V39543; and

4. Rolex "Daytona" 18K Yellow Gold, Mother of Pearl and diamond dial with a possible serial no. 8Q0291C3.
- (G) Miscellaneous firearms, scopes, sights, bipods, magnifiers and other firearms accessories seized from Ross William Roggio:
1. Long Gun: Armory, Armory-15, 5.56 caliber, Serial #A0084;
  2. Lyman, Model 1878, 45/70 caliber, serial number #18780392;
  3. Item 44A - Scope Leopold S/N 325343AA with FDE Springfield Armory Model M1A 30 cal S/N 336481;
  4. Black Silencer Co Supp. Model Specwar 556 S/N SPW-11021;
  5. Item 29A- Scope - From Safe in Basement with Black Rifle w/wooden stock Norinco Rifle Model NDM-86 Cal 7.62x54 S/N 701300;
  6. 6 Item 26A-Scope Truglo No S/N with Black Ruger with wooden stock Model 10/22 Cal .22 S/N 0005-51177;
  7. Item 23A Eotech sight with Black CMMG 9mm short

barrel rifle Model MK9 S/N SMT03019;

8. Item 22A Scope Leupold Mark 4scope S/N 161820AB  
with Black Sig Sauer Model MPX Pistol 9mm S/N  
62B02121;
9. Long Gun: KMP Classic Arms, M1919A4, .30 caliber,  
Serial #757163 also #1711;
10. Silencer: Salvo 12, 12 gauge, Serial #SAL12-5198  
Silencer co.;
11. Pistol: Colt, Commemorative Special Ops, .45 caliber,  
Serial #2778280;
12. Pistol: Desert Eagle, SOAE, .50 caliber, Serial #DK-  
0016164;
13. Item 76A: Scope VISM with Long Gun: Ruger, 10/22,  
.22 LR caliber, Serial #824-01532;
14. Long Gun: Ruger, 10/22, .22 LR caliber, Serial #824-  
01532 with Item 76A: scope VISM;
15. Pistol: Heritage, Rough Rider, .22 caliber, Serial  
#C55366;
16. Pistol: Benelli, MP9SE, .22 LR caliber, Serial



#09070B;

17. Long Gun: CAI, M1 Rifle, 30.06 caliber, Serial #M111778;
18. Item 72A scope with Long Gun: Moisen Magont, M91/30, 7.62x54 caliber, Serial #M9130S0361 Item 72A scope;
19. Long Gun: Moisen Magont, M91/30T, 7.62x54 caliber, Serial #M9130S03614 with Item 72A scope;
20. Long Gun: Tikka, T-3, .308 Winchester caliber, Serial #059939;
21. Item 70A: Scope Nikon P-223 with Long Gun: Marlin Firearms Co, XT-22, .22 Mag caliber, Serial #MM31665B;
22. Long Gun: Marlin Firearms Co, XT-22, .22 Mag caliber, Serial #MM31665B with Item 70A: Scope Nikon P-223;
23. Long Gun: Savage Arms, 340D, .222 Rem caliber, Serial #197304;
24. Long Gun: Remington, 870, 12 gauge caliber, Serial #RS77066G;

25. Long Gun: Armory, Armory-15, 5.56 caliber, Serial #A0078;
26. Long Gun: Armory, Armory-15, 5.56 caliber, Serial #A0079;
27. Long Gun: Armory, Armory-15, 5.56 caliber, Serial #A0090;
28. Long Gun: Armory, Armory-15, 5.56 caliber, Serial #A0044;
29. Long Gun: Armory, Armory-15, 5.56 caliber, Serial #A0082;
30. Long Gun: Armory, Armory-15, 5.56 caliber, Serial #A0086;
31. Long Gun: Armory, Armory-15, 5.56 caliber, Serial #A0087;
32. Long Gun: Tactical Innovations Inc, Tl5BDX, 5.56 caliber, Serial #86700667;
33. Long Gun: Armory, Armory-15, 5.56 caliber, Serial #A0085;
34. Long Gun: Armory, AR-15, 5.56 caliber, Serial #A0083;

35. Long Gun: Century Arms, Centurian 93 Sporter US, 5.56 caliber, Serial #C9315088;
36. Item 55A: Sight Mark red dot with Long Gun: Tactical Innovations, T15BDX, multi caliber, Serial #86700666;
37. Long Gun: Tactical Innovations, T1SBDX, multi caliber, Serial #86700666 with Item 55A: Sight Mark red dot;
38. Long Gun: Kris, Vector, .45 ACP caliber, Serial #45C016113;
39. Long Gun: Century Arms, Centurian 39 Sporter, 7.62, 39 caliber, Serial #C39WM000661;
40. Long Gun: Romarm, WASR, 7.62 caliber, Serial #A132605-15R0 with Item 52A, Optics, Trijicon RX34;
41. Long Gun: Norinco, model: unknown, 5.56, 45 caliber, Serial #8451316952;
42. Long Gun: Izhmash, Saiga 410, 7.62x39 caliber, Serial #H04200381;
43. Long Gun: Century Arms, 70ABM, 7.62x39 caliber, Serial #WM02-000907;

44. Long Gun: Century Arms, M70-AB2 Sporter, 7.62 caliber, Serial #AB2C103045;
45. Long Gun: Fostech, model: unknown, 12 gauge caliber, Serial #0000465;
46. Item 46B: Bipod with Long Gun: Smith & Wesson, M&P 15-22, .22LR caliber, Serial #HBW5593;
47. Item 46A: Scope Firefield with Long Gun: Smith & Wesson, M&P 15-22, .22LR caliber, Serial #HBW5593;
48. Long Gun: Smith & Wesson, M&P 15-22, .22LR caliber, Serial #HBW5593 with Item 46A: Scope Firefield;
49. Item 45A: Optic, Trijicon RX34 with Long Gun: Heckler & Koch, SL8-1, .223 caliber, Serial #48007304;
50. Long Gun: Heckler & Koch, SL8-1, .223 caliber, Serial #48007304 with Item 45A: Optic, Trijicon RX34;
51. Long Gun: Kel Tech, RFB, 7.62 caliber, Serial #T2555;
52. Item 43A: Aimpoint Micro H-1 with Long Gun: Sturm Ruger, Ranch Rifle, 5.56 caliber, Serial #583-11246;
53. Long Gun: Sturm Ruger, Ranch Rifle, 5.56 caliber, Serial #583-11246 with Item 43A: Aimpoint Micro H-1;

- 54. Item 42B: Bipod, with Long Gun: Heckler & Koch, SL8-1, .223 caliber, Serial #48009484;
- 55. Item 42A: Scope, Leupold with Long Gun: Heckler & Koch, SL8-1, .223 caliber, Serial #48009484;
- 56. Long Gun: Heckler & Koch, SL8-1, .223 caliber, Serial #48009484 with Item 42A: Scope, Leupold 1x9;
- 57. Long Gun: BFI, BACR, Mark 47, multi caliber, Serial #ACRD00647;
- 58. Item 40B: Optic, EOTECH Magnifier with Long Gun: CMMG Inc., Mark 47, 7.62x39 caliber, Serial #KWT02562;
- 59. Item 40A: Optic, EOTECH red dot with Long Gun: CMMG Inc., Mark 47, 7.62x39 caliber, Serial #KWT02562;
- 60. Long Gun: CMMG Inc., Mark 47, 7.62 x 39 caliber, Serial #KWT02562 with Item 40A: Optic, EOTECH red dot;
- 61. Long Gun: PTR Industries, model: unknown, 3.08 caliber, Serial #AW14102;

- 62. Item 38B: Optic EOTECH Magnifier with Long Gun:  
Ruger, SR-556, 5.56 caliber, Serial #594-00633;
- 63. Item 38A: Optic EOTECH Holigraphic with Long Gun:  
Ruger, SR-556, 5.56 caliber, Serial #594-00633;
- 64. Long Gun: Ruger, SR-556, 5.56 caliber, Serial #594-  
00633 with Item 38A: Optic EOTECH Holigraphic;
- 65. Item 37A: Optics Trijicon Reflex RX34 with Long Gun:  
FN Hertsal, SCAR, 5.56 caliber, Serial #LC32494;
- 66. Long Gun: FN Hertsal, SCAR, 5.56 caliber, Serial  
#LC32494 with Item 37A: Optics Trijicon Reflex RX34;
- 67. Item 36A: Optics EOTECH with Long Gun: Armory,  
Armory-15, 5.56 caliber, Serial #A0033;
- 68. Long Gun: Armory, Armory-15, 5.56 caliber, Serial  
#A0033 with Item 36A: Optics EOTECH;
- 69. Item 35A: Optics Trijicon Reflex RX34 with Long Gun:  
Tavor, SAR, 5.56 caliber, Serial #T0015911;
- 70. Long Gun: Tavor, SAR, 5.56 caliber, Serial #T0015911  
with Item 35A: Optics Trijicon Reflex RX34;
- 71. Item 34B: Bipod with Long Gun: Remington, Model

700AAC-SD, .300 AAC Blackout caliber, Serial #RR76324C;

72. Item 34A: Scope Zeiss Terra with Long Gun: Remington, Model 700AAC-SD, .300 AAC Blackout caliber, Serial #RR76324C;
73. Long Gun: Remington, Model 700AAC-SD, .300 AAC Blackout caliber, Serial #RR76324C with Item 34A: Scope Zeiss Terra 3X;
74. Long Gun: Tavor, 5.56 caliber, Serial #T0055070;
75. Item 32A: Scope MSAR PN219 with Long Gun: MSAR, STG556, .223 caliber, Serial #600-P002734;
76. Item 31A: Optics, EOTEC with long Gun: MSAR, XM17E4, .223 caliber, Serial #600-P012022;
77. Long Gun: MSAR, STG556, .223 caliber, Serial #600-P002734 with Item 32A: Scope MSAR PN219;
78. Long Gun: MSAR, XM17E4, .223 caliber, Serial #600-P012022 with Item 31A: Optics, EOTEC;
79. Item 30B: Optics - aimpoint with Pistol: Glock, 17, 9mm caliber, Serial #YBV536;

- 80. Item 30A: RONI Pistol carbine conversion with Pistol: Glock, 17, 9mm caliber, Serial #YBV536;
- 81. Pistol: Glock, 17, 9mm caliber, Serial #YBV536, Inside Item 30A: RONI Pistol carbine conversion;
- 82. Item 29B: Bipod with Long Gun: Sig Sauer, 7.62mm NATO caliber, Serial #22C013386;
- 83. Item 29A: Apex Scope with Long Gun: Sig Sauer, 7.62mm NATO caliber, Serial #22C013386;
- 84. Long Gun: Sig Sauer, model: MR556, 7.62mm NATO caliber, Serial #22C013386 with Item 29A: Apex Scope;
- 85. Item 28A: Scope ACOG attached to Long Gun: Heckler & Koch, MR556, 5.56mm caliber, Serial #241202064;
- 86. Long Gun: Heckler & Koch, MR556, 5.56mm caliber, Serial #241202064 with Item 28A: Scope ACOG;
- 87. Pistol: Ruger, New Vaquero, 45 Colt caliber, Serial #SASS54920;
- 88. Item 26A Scope Leupold VX-R, Serial # 186502AB with Long Gun: Springfield Armory, M1A, 7.62 Caliber, Serial #347037;



89. Long Gun: Springfield Armory, M1A, 7.62 Caliber, Serial #347037 with Item 26A Scope Leupold VX-R, Serial #186502AB;
90. Item 25B Bipod with Long Gun: Barrett, 82A1, .50 Caliber, Serial #AA003811;
91. Item 25A Scope Leupold Mark 4 with Long Gun: Barrett, 82A1, .50 Caliber, Serial #AA003811;
92. Long Gun: Barrett, 82A1 .50 Caliber, Serial #AA003811 with Item 25A Scope Leupold Mark 4;
93. Item 24B -Bipod - with Long Gun: Weatherby, Mark 4, Caliber unknown, Serial #BW006739;
94. Item 24A Swarovski Z34-12x50 with Long Gun: Weatherby, Mark 4, Caliber unknown, Serial #BW006739;
95. Long Gun: Weatherby, Mark 4, Caliber unknown, Serial #BW006739 with Item 24A Scope Swarovski Z34-12x50;
96. Item 23A Scope Leupold VX-1 Serial #161831AC with Long Gun: RND, Edge .223 Caliber Serial #2931124;

97. Bipod - Item 23B with Long Gun: RND, Edge .223  
Caliber Serial #2931124;
98. Long Gun: RND, Edge .223 Caliber Serial #2931124  
with Scope Leupold VX-1 Serial #161831AC Item 23B;
99. Bipod - Item 21B with Long Gun: Armory, TAC 338,  
.338 Lapua Mag Caliber Serial #TB30928;
100. Bipod - Item 20B with Long Gun: Armory, TAC 338,  
.338 Lapua Mag Caliber Serial #TB30729 Bipod - Item  
20B;
101. Pistol: Heckler & Koch, 95K, 9mm caliber, Serial  
#215002826;
102. Pistol/Revolver: Ruger, New Vaquero .45 caliber, Serial  
#SASS54919;
103. Pistol/Revolver: Pietta, Cimmarron .45 Caliber, Serial  
#E38704;
104. Leupold Mark 4Scope Item 21A attached to Long Gun:  
Armory, TAC 338, .338 Lapua Mag Caliber Serial  
#TB30928;
105. Long Gun: Armory, TAC 338, .338 Lapua Mag Caliber

Serial #TB30928 with Leupold Mark 4Scope Item 21A;

106. Leupold Mark 4Scope Item 20A attached to Long Gun:

Armory, TAC 338, .338 Lapua Mag Caliber Serial  
#TB30729;

107. Long Gun: Armory, TAC 338, .338 Lapua Mag Caliber

Serial #TB30729 with Leupold Mark 4Scope Item 20A;

108. Pistol/Revolver: A. Uberti, 1873, model unknown, .45

Caliber, Serial #P37550;

109. Pistol/Revolver: Old Saybrook, Traditions 45 Colt

caliber, Serial #E58949;

110. Pistol/Revolver: Filipietta, model unknown, .44 Caliber,

Serial #653026;

111. Pistol/Revolver: Ruger, New Vaquero .45 colt caliber,

Serial #512-64623;

112. Pistol/Revolver: A. Uberti, 1873 .45 colt caliber, Serial

#TC6294;

113. Pistol/Revolver: A. Uberti, Cimarron .45 colt caliber,

Serial #P37551;

114. 6A Scope Hi-Lux Optics Serial #003175 attached to

Long Gun: RRMW, Replica 1903, 30.06 Serial

#3998129, 6A Scope Hi-Lux Optics Serial #003175;

115. Item 3A Sight Mark Optics attached to Long Gun;

Masterpiece Arms, Defender, 9mm caliber, Serial

#B985076;

116. Pistol/Revolver: Old Saybrook CZ, Traditions 45 colt

caliber, Serial #E57108;

117. Long Gun: Taurus, R92 .45 Colt caliber Serial

#AM217918;

118. Long Gun: CZ-USA, Huglu Hammer Classic Shotgun,

12 Gauge Serial #15O3244.

119. Long Gun: Taurus, R92 .45 Colt caliber Serial

#51T20531;

120. Long Gun: RRMW, Replica 1903, 30.06 Serial

#3998129, 6A Scope Hi-Lux Optics Serial #003175;

121. Long Gun; DSA SA58 .308 Caliber Serial #DS41249;

122. Long Gun; FNH Scar 17S, 7.62x51mm Serial

#HC43137;

123. Long Gun; Masterpiece Arms, Defender, 9mm caliber,

Serial #FJ00408 with Item 3A Optics;

124. Long Gun; CZ-USA Scorpion EV0351 9x19mm Serial #EV0351;
125. Long gun: Sig Sauer, MPX 9mm Serial #62B023427;
126. FDE Springfield Armory Model M1A 30 cal S/N 336481 with Item 44A - Scope Leopold S/N 325343AA.
127. Black Advanced Armorment Corp Suppressor Model Cyclops 50 S/N 500330 in case;
128. FDE Surefire Suppressor SOCOM556 S/N A51N01332;
129. FDE Surefire Suppressor SOCOM556 S/N A51N01331;
130. Black SWR Suppressor Mod Specwar S/N SW762-2289;
131. Black Silencer Co Supp. Model Specwar 556 S/N SPW-11020;
132. Black Griffin Armament Suppressor Model RECCES S/N REC5-0027;
133. 1Black Silencer co Suppressor Specwar S/N SW-762-4578;
134. Black Griffin Armament Suppressor Model Recces S/N REC5-0026;

- 135. Black Griffin Armament Suppressor Model Spartan3  
S/N SP3-0080;
- 136. Black YHM Suppressor Mod. Phantom M2 S/N  
Y19391;
- 137. Black YHM Suppressor Mod. Phantom M2 S/N  
Y17980;
- 138. Black TBAC Suppressor Model 3388A S/N 51491;
- 139. Black TBAC Suppressor Model 3388A S/N 51490;
- 140. Black Rifle w/wooden stock Norinco Rifle Model NDM-  
86 Cal 7.62x54 S/N 701300 with Item 29A- Scope -  
From Safe in Basement;
- 141. Black Armory AR-15 rifle Model Armory-15 .223 cal  
S/N A0091 From Safe in Basement;
- 142. OD green P of USA AR-10 Rifle Model P-308 S/N  
12BA-13062 .38cal;
- 143. Black Ruger with wooden stock Model 10/22 Cal .22  
S/N 0005-51177 with Item 26A- Scope Truglo;
- 144. Black Armory AR15 Rifle Model Armory-15 cal .223  
S/N A0092;

- 145. Black Zenith firearms short barrel rifle Model  
MKEZ5RS 9mm S/N T0624-15BH01066;
- 146. Black CMMG 9mm short barrel rifle Model MK9 S/N  
SMT03019 with Item 23A EOTECH sight attached;
- 147. Item 22B - Black Suppressor attached to item #22,  
Griffin Armament Suppressor Revolution 9mm S/N  
REV9-0232.
- 148. Black Sig Sauer Model MPX Pistol 9mm S/N 62B02121  
with Item 22A Scope Leupold Mark 4scope S/N  
161820AB and Item 22B Black suppressor attached to  
item #22, S/N REV9-0232;
- 149. Black Zenith Firearms short barrel rifle Model  
MKE25P 9mm S/N T0624-15BK00800;
- 150. Attached to Item #19 Black Advanced Armament Corp.  
Suppressor Model element #2, S/N E106548;
- 151. Black Walther Model P22 22cal S/N WA094850 with  
attached Item 20 Black Advanced Armament Corp.  
Suppressor Model element# 2 S/N E106548;
- 152. Item 17A- Black Griffin Armament Suppressor

Revolution 9 S/N REV9-0294 with Black/Tan

Springfield Armory Model XD9 pistol S/N MG436167

9mm;

153. Black/Tan Springfield Armory Model XD9 pistol,

caliber 9mm, S/N MG436167 9mm with Item 17A

Black Griffin Armament Suppressor Revolution 9 S/N

REV9-0294;

154. Black Springfield Armory Operator 45 cal. pistol S/N

LW132150;

155. Black Glock Model 19 9mm pistol S/N ZFW272;

156. Black Colt Cobra 38 Spec. revolver S/N A73054;

157. Black Colt Python 357 mag. revolver S/N 82749E;

158. Black Colt Python 357 mag. revolver S/N K39803;

159. Black Colt Python 357 mag. revolver S/N 42376E;

160. Black Springfield Armory Champion Operator 45 cal

pistol S/N LW134249;

161. Black Berretta 92FS 9mm S/N BER678157;

162. Silver Colt Anaconda 44 mag revolver S/N MM48433;

163. Black Glock Model 17 9mm S/N YZA710;



164. Springfield Armory NRA 125th Anniversary #295 of 525, model 1076, 45 cal. S/N N342895;
165. Silver Smith & Wesson pistol Model 1076, caliber unknown, serial: THB9323;
166. Black Silencer Suppressor Model Octane 45 HD S/N OCT45-5275;
167. Black Remington Model 1911 RI Pistol 45 cal. Serial: RHN39374A;
168. Black Glock Pistol Model 26 9mm S/N ZAN199; and
169. Black Smith & Wesson Pro Series 45 cal. S/N UCW6022.

This property is subject to forfeiture if you find that the Government has proved by a preponderance of the evidence that the property constitutes or is derived from proceeds traceable to the offense.

Property that is considered “proceeds” of an international emergency economic powers act, in violation of 50 U.S.C. § 1705(c), Count 5, includes:

- (1) property of any kind obtained directly or indirectly as a result of the commission of the offense giving rise to

forfeiture and any property traceable thereto.

Proceeds are not limited to the net gain or profits realized from the underlying unlawful activity.

Property that is considered “traceable” property of an international emergency economic powers act, in violation of 50 U.S.C. § 1705(c), Count 5, includes:

- (1) property to which you can trace, in any way, to property that was involved as proceeds or facilitating property in the international emergency economic powers act violation.

You are instructed that forfeitable property includes any property, real or personal, which constitutes or is derived from proceeds traceable to the commission of the defendant’s international emergency economic powers act violation.

**GOVERNMENT'S REQUEST NO. 6**

**Forfeiture Instructions at End of Forfeiture Proceeding – Wire Fraud**<sup>6</sup>

*At the end of the forfeiture proceeding, the Government requests that the Court give the following instruction:*

You have found defendant Ross Roggio guilty as charged in Counts 9 through 10 of the Superseding Indictment. You now need to consider a special verdict concerning property that the Superseding Indictment alleges is subject to forfeiture by the defendant to the Government. Forfeiture means that the defendant would lose any ownership or interest they have or claim to have in the specified property, as a part of the penalty for engaging in criminal activity. I instruct you that you are bound by your previous finding that Ross Roggio is guilty of the wire fraud violation(s).

Under federal law, any person convicted of wire fraud, in violation of 18 U.S.C. § 1343, Counts 9 through 10, shall forfeit to the Government any property which constitutes or is derived from proceeds traceable to the offense of the defendant's wire fraud violation(s).

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<sup>6</sup>Third Circuit Model Criminal Jury Instruction § 6.21.853 Modified (April 2015)

In deciding whether property is subject to forfeiture, you should not concern yourself with or consider whether any other person may own or have an interest in the property. I will resolve any such claims. Similarly, you are not to consider whether the property is presently available. Your only concern is whether the Government has proven the required connection between the property and the offense(s) for which you have found the defendant guilty.

The Indictment alleges that, because of the connection between this property and the defendant's commission of the wire fraud violation(s) of Counts 9 through 10, the following property should be forfeited:

- (A) Real property located at 143 Indian Spring Drive, Stroudsburg, Monroe, County, Pennsylvania, Tax Map or Parcel ID Number 07/86262, current owner of record Ross William Roggio, former owner of record and estranged wife of Ross William Roggio, Kristy Merring-Roggio, with all appurtenances, improvements and attachments thereon, legally described as:

ALL THAT CERTAIN lot, tract piece or parcel of land situate in the Township of Hamilton, County of Monroe, and Commonwealth of Pennsylvania, being described as follows, to wit:

Being Lot No. 13, Section Three, Indian Spring Farm, as shown on a plan of Indian Spring Farm (Section Three) prepared by J. Lavern Marshall drawn June 27, 1988, and

recorded in the Office for the Recording Deeds, in and for the County of Monroe, at Stroudsburg, Pennsylvania, in Plot Book 61, Page 116.

- (B) Wells Fargo account #2089401166 titled ROGGIO CONSULTING COMPANY LLC with Ross W. Roggio as an authorized signer on the account;
- (C) Wells Fargo account #2089401158 titled ROGGIO CONSULTING COMPANY LLC with Ross W. Roggio as an authorized signer on the account;
- (D) 2015 BMW Model IS, VIN WBY2Z2C59FV392441 registered to Ross Riggio and Kristy Roggio;
- (E) 2015 Mercedes GL350 BLUETEC, VIN 4JGDF2EEFA606052 registered to Ross William Roggio;
- (F) Four Rolex watches seized from Ross William Roggio more fully described as:
  - 1. Rolex Oyster Perpetual Cosmograph "Daytona" 18K Rose Gold with a chocolate dial with a possible serial no. 4H2E2303;
  - 2. Roles Geneve Cellini 18K Rose Gold with a black leather band and a black dial with a possible serial no. 50525 512F28Q1;
  - 3. Rolex Oyster Perpetual Day Date President with 18K Rose Gold and a possible serial no. H42V39543; and
  - 4. Rolex "Daytona" 18K Yellow Gold, Mother of Pearl and diamond dial with a possible serial no. 8Q0291C3.

(G) Miscellaneous firearms, scopes, sights, bipods, magnifiers and other firearms accessories seized from Ross William Roggio:

1. Long Gun: Armory, Armory-15, 5.56 caliber, Serial #A0084;
2. Lyman, Model 1878, 45/70 caliber, serial number #18780392;
3. Item 44A - Scope Leopold S/N 325343AA with FDE Springfield Armory Model M1A 30 cal S/N 336481;
4. Black Silencer Co Supp. Model Specwar 556 S/N SPW-11021;
5. Item 29A- Scope - From Safe in Basement with Black Rifle w/wooden stock Norinco Rifle Model NDM-86 Cal 7.62x54 S/N 701300;
6. 6 Item 26A-Scope Truglo No S/N with Black Ruger with wooden stock Model 10/22 Cal .22 S/N 0005-51177;
7. Item 23A Eotech sight with Black CMMG 9mm short barrel rifle Model MK9 S/N SMT03019;
8. Item 22A Scope Leupold Mark 4scope S/N 161820AB

with Black Sig Sauer Model MPX Pistol 9mm S/N  
62B02121;

9. Long Gun: KMP Classic Arms, M1919A4, .30 caliber,  
Serial #757163 also #1711;
10. Silencer: Salvo 12, 12 gauge, Serial #SAL12-5198  
Silencer co.;
11. Pistol: Colt, Commemorative Special Ops, .45 caliber,  
Serial #2778280;
12. Pistol: Desert Eagle, S0AE, .50 caliber, Serial #DK-  
0016164;
13. Item 76A: Scope VISM with Long Gun: Ruger, 10/22,  
.22 LR caliber, Serial #824-01532;
14. Long Gun: Ruger, 10/22, .22 LR caliber, Serial #824-  
01532 with Item 76A: scope VISM;
15. Pistol: Heritage, Rough Rider, .22 caliber, Serial  
#C55366;
16. Pistol: Benelli, MP9SE, .22 LR caliber, Serial  
#09070B;
17. Long Gun: CAI, M1 Rifle, 30.06 caliber, Serial

#M111778;

18. Item 72A scope with Long Gun: Moisen Magont, M91/30, 7.62x54 caliber, Serial #M9130S0361 Item 72A scope;
19. Long Gun: Moisen Magont, M91/30T, 7.62x54 caliber, Serial #M9130S03614 with Item 72A scope;
20. Long Gun: Tikka, T-3, .308 Winchester caliber, Serial #059939;
21. Item 70A: Scope Nikon P-223 with Long Gun: Marlin Firearms Co, XT-22, .22 Mag caliber, Serial #MM31665B;
22. Long Gun: Marlin Firearms Co, XT-22, .22 Mag caliber, Serial #MM31665B with Item 70A: Scope Nikon P-223;
23. Long Gun: Savage Arms, 340D, .222 Rem caliber, Serial #197304;
24. Long Gun: Remington, 870, 12 gauge caliber, Serial #RS77066G;
25. Long Gun: Armory, Armory-15, 5.56 caliber, Serial #A0078;



26. Long Gun: Armory, Armory-15, 5.56 caliber, Serial #A0079;
27. Long Gun: Armory, Armory-15, 5.56 caliber, Serial #A0090;
28. Long Gun: Armory, Armory-15, 5.56 caliber, Serial #A0044;
29. Long Gun: Armory, Armory-15, 5.56 caliber, Serial #A0082;
30. Long Gun: Armory, Armory-15, 5.56 caliber, Serial #A0086;
31. Long Gun: Armory, Armory-15, 5.56 caliber, Serial #A0087;
32. Long Gun: Tactical Innovations Inc, Tl5BDX, 5.56 caliber, Serial #86700667;
33. Long Gun: Armory, Armory-15, 5.56 caliber, Serial #A0085;
34. Long Gun: Armory, AR-15, 5.56 caliber, Serial #A0083;
35. Long Gun: Century Arms, Centurian 93 Sporter US, 5.56 caliber, Serial #C9315088;

36. Item 55A: Sight Mark red dot with Long Gun: Tactical Innovations, T15BDX, multi caliber, Serial #86700666;
37. Long Gun: Tactical Innovations, T1SBDX, multi caliber, Serial #86700666 with Item 55A: Sight Mark red dot;
38. Long Gun: Kris, Vector, .45 ACP caliber, Serial #45C016113;
39. Long Gun: Century Arms, Centurian 39 Sporter, 7.62, 39 caliber, Serial #C39WM000661;
40. Long Gun: Romarm, WASR, 7.62 caliber, Serial #A132605-15R0 with Item 52A, Optics, Trijicon RX34;
41. Long Gun: Norinco, model:unknown, 5.56, 45 caliber, Serial #8451316952;
42. Long Gun: lzhmash, Saiga 410, 7.62x39 caliber, Serial #H04200381;
43. Long Gun: Century Arms, 70ABM, 7.62x39 caliber, Serial #WM02-000907;
44. Long Gun: Century Arms, M70-AB2 Sporter, 7.62 caliber, Serial #AB2C103045;

45. Long Gun: Fostech, model: unknown, 12 gauge caliber, Serial #0000465;
46. Item 46B: Bipod with Long Gun: Smith & Wesson, M&P 15-22, .22LR caliber, Serial #HBW5593;
47. Item 46A: Scope Firefield with Long Gun: Smith & Wesson, M&P 15-22, .22LR caliber, Serial #HBW5593;
48. Long Gun: Smith & Wesson, M&P 15-22, .22LR caliber, Serial #HBW5593 with Item 46A: Scope Firefield;
49. Item 45A: Optic, Trijicon RX34 with Long Gun: Heckler & Koch, SL8-1, .223 caliber, Serial #48007304;
50. Long Gun: Heckler & Koch, SL8-1, .223 caliber, Serial #48007304 with Item 45A: Optic, Trijicon RX34;
51. Long Gun: Kel Tech, RFB, 7.62 caliber, Serial #T2555;
52. Item 43A: Aimpoint Micro H-1 with Long Gun: Sturm Ruger, Ranch Rifle, 5.56 caliber, Serial #583-11246;
53. Long Gun: Sturm Ruger, Ranch Rifle, 5.56 caliber, Serial #583-11246 with Item 43A: Aimpoint Micro H-1;
54. Item 42B: Bipod, with Long Gun: Heckler & Koch, SL8-1, .223 caliber, Serial #48009484;

- 55. Item 42A: Scope, Leupold with Long Gun: Heckler & Koch, SL8-1, .223 caliber, Serial #48009484;
- 56. Long Gun: Heckler & Koch, SL8-1, .223 caliber, Serial #48009484 with Item 42A: Scope, Leupold 1x9;
- 57. Long Gun: BFI, BACR, Mark 47, multi caliber, Serial #ACRD00647;
- 58. Item 40B: Optic, EOTECH Magnifier with Long Gun: CMMG Inc., Mark 47, 7.62x39 caliber, Serial #KWT02562;
- 59. Item 40A: Optic, EOTECH red dot with Long Gun: CMMG Inc., Mark 47, 7.62x39 caliber, Serial #KWT02562;
- 60. Long Gun: CMMG Inc., Mark 47, 7.62 x 39 caliber, Serial #KWT02562 with Item 40A: Optic, EOTECH red dot;
- 61. Long Gun: PTR Industries, model: unknown, 3.08 caliber, Serial #AW14102;
- 62. Item 38B: Optic EOTECH Magnifier with Long Gun: Ruger, SR-556, 5.56 caliber, Serial #594-00633;

- 63. Item 38A: Optic EOTECH Holigraphic with Long Gun:  
Ruger, SR-556, 5.56 caliber, Serial #594-00633;
- 64. Long Gun: Ruger, SR-556, 5.56 caliber, Serial #594-  
00633 with Item 38A: Optic EOTECH Holigraphic;
- 65. Item 37A: Optics Trijicon Reflex RX34 with Long Gun:  
FN Hertsal, SCAR, 5.56 caliber, Serial #LC32494;
- 66. Long Gun: FN Hertsal, SCAR, 5.56 caliber, Serial  
#LC32494 with Item 37A: Optics Trijicon Reflex RX34;
- 67. Item 36A: Optics EOTECH with Long Gun: Armory,  
Armory-15, 5.56 caliber, Serial #A0033;
- 68. Long Gun: Armory, Armory-15, 5.56 caliber, Serial  
#A0033 with Item 36A: Optics EOTECH;
- 69. Item 35A: Optics Trijicon Reflex RX34 with Long Gun:  
Tavor, SAR, 5.56 caliber, Serial #T0015911;
- 70. Long Gun: Tavor, SAR, 5.56 caliber, Serial #T0015911  
with Item 35A: Optics Trijicon Reflex RX34;
- 71. Item 34B: Bipod with Long Gun: Remington, Model  
700AAC-SD, .300 AAC Blackout caliber, Serial  
#RR76324C;

- 72. Item 34A: Scope Zeiss Terra with Long Gun:  
Remington, Model 700AAC-SD, .300 AAC Blackout  
caliber, Serial #RR76324C;
- 73. Long Gun: Remington, Model 700AAC-SD, .300 AAC  
Blackout caliber, Serial #RR76324C with Item 34A:  
Scope Zeiss Terra 3X;
- 74. Long Gun: Tavor, 5.56 caliber, Serial #T0055070;
- 75. Item 32A: Scope MSAR PN219 with Long Gun: MSAR,  
STG556, .223 caliber, Serial #600-P002734;
- 76. Item 31A: Optics, EOTECH with long Gun: MSAR,  
XM17E4, .223 caliber, Serial #600-P012022;
- 77. Long Gun: MSAR, STG556, .223 caliber, Serial #600-  
P002734 with Item 32A: Scope MSAR PN219;
- 78. Long Gun: MSAR, XM17E4, .223 caliber, Serial #600-  
P012022 with Item 31A: Optics, EOTECH;
- 79. Item 30B: Optics - aimpoint with Pistol: Glock, 17,  
9mm caliber, Serial #YBV536;
- 80. Item 30A: RONI Pistol carbine conversion with Pistol:  
Glock, 17, 9mm caliber, Serial #YBV536;

81. Pistol: Glock, 17, 9mm caliber, Serial #YBV536, Inside  
Item 30A: RONI Pistol carbine conversion;
82. Item 29B: Bipod with Long Gun: Sig Sauer, 7.62mm  
NATO caliber, Serial #22C013386;
83. Item 29A: Apex Scope with Long Gun: Sig Sauer,  
7.62mm NATO caliber, Serial #22C013386;
84. Long Gun: Sig Sauer, model: MR556, 7.62mm NATO  
caliber, Serial #22C013386 with Item 29A: Apex Scope;
85. Item 28A: Scope ACOG attached to Long Gun: Heckler  
& Koch, MR556, 5.56mm caliber, Serial #241202064;
86. Long Gun: Heckler & Koch, MR556, 5.56mm caliber,  
Serial #241202064 with Item 28A: Scope ACOG;
87. Pistol: Ruger, New Vaquero, 45 Colt caliber, Serial  
#SASS54920;
88. Item 26A Scope Leupold VX-R, Serial # 186502AB with  
Long Gun: Springfield Armory, M1A, 7.62 Caliber,  
Serial #347037;
89. Long Gun: Springfield Armory, M1A, 7.62 Caliber,  
Serial #347037 with Item 26A Scope Leupold VX-R,

Serial #186502AB;

90. Item 25B Bipod with Long Gun: Barrett, 82A1, .50 Caliber, Serial #AA003811;
91. Item 25A Scope Leupold Mark 4 with Long Gun: Barrett, 82A1, .50 Caliber, Serial #AA003811;
92. Long Gun: Barrett, 82A1 .50 Caliber, Serial #AA003811 with Item 25A Scope Leupold Mark 4;
93. Item 24B -Bipod - with Long Gun: Weatherby, Mark 4, Caliber unknown, Serial #BW006739;
94. Item 24A Swarovski Z34-12x50 with Long Gun: Weatherby, Mark 4, Caliber unknown, Serial #BW006739;
95. Long Gun: Weatherby, Mark 4, Caliber unknown, Serial #BW006739 with Item 24A Scope Swarovski Z34-12x50;
96. Item 23A Scope Leupold VX-1 Serial #161831AC with Long Gun: RND, Edge .223 Caliber Serial #2931124;
97. Bipod - Item 23B with Long Gun: RND, Edge .223 Caliber Serial #2931124;



98. Long Gun: RND, Edge .223 Caliber Serial #2931124  
with Scope Leupold VX-1 Serial #161831AC Item 23B;
99. Bipod - Item 21B with Long Gun: Armory, TAC 338,  
.338 Lapua Mag Caliber Serial #TB30928;
100. Bipod - Item 20B with Long Gun: Armory, TAC 338,  
.338 Lapua Mag Caliber Serial #TB30729 Bipod - Item  
20B;
101. Pistol: Heckler & Koch, 95K, 9mm caliber, Serial  
#215002826;
102. Pistol/Revolver: Ruger, New Vaquero .45 caliber, Serial  
#SASS54919;
103. Pistol/Revolver: Pietta, Cimmaron .45 Caliber, Serial  
#E38704;
104. Leupold Mark 4Scope Item 21A attached to Long Gun:  
Armory, TAC 338, .338 Lapua Mag Caliber Serial  
#TB30928;
105. Long Gun: Armory, TAC 338, .338 Lapua Mag Caliber  
Serial #TB30928 with Leupold Mark 4Scope Item 21A;
106. Leupold Mark 4Scope Item 20A attached to Long Gun:

Armory, TAC 338, .338 Lapua Mag Caliber Serial  
#TB30729;

107. Long Gun: Armory, TAC 338, .338 Lapua Mag Caliber  
Serial #TB30729 with Leupold Mark 4Scope Item 20A;

108. Pistol/Revolver: A. Uberti, 1873, model unknown, .45  
Caliber, Serial #P37550;

109. Pistol/Revolver: Old Saybrook, Traditions 45 Colt  
caliber, Serial #E58949;

110. Pistol/Revolver: Filipietta, model unknown, .44 Caliber,  
Serial #653026;

111. Pistol/Revolver: Ruger, New Vaquero .45 colt caliber,  
Serial #512-64623;

112. Pistol/Revolver: A. Uberti, 1873 .45 colt caliber, Serial  
#TC6294;

113. Pistol/Revolver: A. Uberti, Cimarron .45 colt caliber,  
Serial #P37551;

114. 6A Scope Hi-Lux Optics Serial #003175 attached to  
Long Gun: RRMW, Replica 1903, 30.06 Serial  
#3998129, 6A Scope Hi-Lux Optics Serial #003175;

- 115. Item 3A Sight Mark Optics attached to Long Gun;  
Masterpiece Arms, Defender, 9mm caliber, Serial  
#B985076;
- 116. Pistol/Revolver: Old Saybrook CZ, Traditions 45 colt  
caliber, Serial #E57108;
- 117. Long Gun: Taurus, R92 .45 Colt caliber Serial  
#AM217918;
- 118. Long Gun: CZ-USA, Huglu Hammer Classic Shotgun,  
12 Gauge Serial #15O3244.
- 119. Long Gun: Taurus, R92 .45 Colt caliber Serial  
#51T20531;
- 120. Long Gun: RRMW, Replica 1903, 30.06 Serial  
#3998129, 6A Scope Hi-Lux Optics Serial #003175;
- 121. Long Gun; DSA SA58 .308 Caliber Serial #DS41249;
- 122. Long Gun; FNH Scar 17S, 7.62x51mm Serial  
#HC43137;
- 123. Long Gun; Masterpiece Arms, Defender, 9mm caliber,  
Serial #FJ00408 with Item 3A Optics;
- 124. Long Gun; CZ-USA Scorpion EV0351 9x19mm Serial

#EV0351;

125. Long gun: Sig Sauer, MPX 9mm Serial #62B023427;
126. FDE Springfield Armory Model M1A 30 cal S/N 336481  
with Item 44A - Scope Leopold S/N 325343AA.
127. Black Advanced Armament Corp Suppressor Model  
Cyclops 50 S/N 500330 in case;
128. FDE Surefire Suppressor SOCOM556 S/N A51N01332;
129. FDE Surefire Suppressor SOCOM556 S/N A51N01331;
130. Black SWR Suppressor Mod Specwar S/N SW762-2289;
131. Black Silencer Co Supp. Model Specwar 556 S/N SPW-  
11020;
132. Black Griffin Armament Suppressor Model RECCES  
S/N REC5-0027;
133. 1Black Silencer co Suppressor Specwar S/N SW-762-  
4578;
134. Black Griffin Armament Suppressor Model Recces S/N  
REC5-0026;
135. Black Griffin Armament Suppressor Model Spartan3  
S/N SP3-0080;

136. Black YHM Suppressor Mod. Phantom M2 S/N  
Y19391;
137. Black YHM Suppressor Mod. Phantom M2 S/N  
Y17980;
138. Black TBAC Suppressor Model 3388A S/N 51491;
139. Black TBAC Suppressor Model 3388A S/N 51490;
140. Black Rifle w/wooden stock Norinco Rifle Model NDM-  
86 Cal 7.62x54 S/N 701300 with Item 29A- Scope -  
From Safe in Basement;
141. Black Armory AR-15 rifle Model Armory-15 .223 cal  
S/N A0091 From Safe in Basement;
142. OD green P of USA AR-10 Rifle Model P-308 S/N  
12BA-13062 .38cal;
143. Black Ruger with wooden stock Model 10/22 Cal .22  
S/N 0005-51177 with Item 26A- Scope Truglo;
144. Black Armory AR15 Rifle Model Armory-15 cal .223  
S/N A0092;
145. Black Zenith firearms short barrel rifle Model  
MKEZ5RS 9mm S/N T0624-15BH01066;

- 146. Black CMMG 9mm short barrel rifle Model MK9 S/N SMT03019 with Item 23A EOTECH sight attached;
- 147. Item 22B - Black Suppressor attached to item #22, Griffin Armament Suppressor Revolution 9mm S/N REV9-0232.
- 148. Black Sig Sauer Model MPX Pistol 9mm S/N 62B02121 with Item 22A Scope Leupold Mark 4scope S/N 161820AB and Item 22B Black suppressor attached to item #22, S/N REV9-0232;
- 149. Black Zenith Firearms short barrel rifle Model MKE25P 9mm S/N T0624-15BK00800;
- 150. Attached to Item #19 Black Advanced Armament Corp. Suppressor Model element #2, S/N E106548;
- 151. Black Walther Model P22 22cal S/N WA094850 with attached Item 20 Black Advanced Armament Corp. Suppressor Model element# 2 S/N E106548;
- 152. Item 17A- Black Griffin Armament Suppressor Revolution 9 S/N REV9-0294 with Black/Tan Springfield Armory Model XD9 pistol S/N MG436167

9mm;

153. Black/Tan Springfield Armory Model XD9 pistol,  
caliber 9mm, S/N MG436167 9mm with Item 17A  
Black Griffin Armament Suppressor Revolution 9 S/N  
REV9-0294;
154. Black Springfield Armory Operator 45 cal. pistol S/N  
LW132150;
155. Black Glock Model 19 9mm pistol S/N ZFW272;
156. Black Colt Cobra 38 Spec. revolver S/N A73054;
157. Black Colt Python 357 mag. revolver S/N 82749E;
158. Black Colt Python 357 mag. revolver S/N K39803;
159. Black Colt Python 357 mag. revolver S/N 42376E;
160. Black Springfield Armory Champion Operator 45 cal  
pistol S/N LW134249;
161. Black Berretta 92FS 9mm S/N BER678157;
162. Silver Colt Anaconda 44 mag revolver S/N MM48433;
163. Black Glock Model 17 9mm S/N YZA710;
164. Springfield Armory NRA 125th Anniversary #295 of  
525, model 1076, 45 cal. S/N N342895;

165. Silver Smith & Wesson pistol Model 1076, caliber unknown, serial: THB9323;

166. Black Silencer Suppressor Model Octane 45 HD S/N OCT45-5275;

167. Black Remington Model 1911 RI Pistol 45 cal. Serial: RHN39374A;

168. Black Glock Pistol Model 26 9mm S/N ZAN199; and

169. Black Smith & Wesson Pro Series 45 cal. S/N UCW6022.

This property is subject to forfeiture if you find that the Government has proved by a preponderance of the evidence that the property constitutes or is derived from proceeds traceable to the offense.

Property that is considered “proceeds” of wire fraud, in violation of 18 U.S.C. § 1343, Counts 9 through 10, includes:

- (1) property of any kind obtained directly or indirectly as a result of the commission of the offense giving rise to forfeiture and any property traceable thereto.

Proceeds are not limited to the net gain or profits realized from the underlying unlawful activity.



Property that is considered “traceable” property of wire fraud, in violation of 18 U.S.C. § 1343, Counts 9 through 10, includes:

- (1) property to which you can trace, in any way, to property that was involved as proceeds or facilitating property in the wire fraud violation.

You are instructed that forfeitable property includes any property, real or personal, which constitutes or is derived from proceeds traceable to the commission of the defendant’s wire fraud violation(s).

**GOVERNMENT'S REQUEST NO. 7**

**Forfeiture Instructions at End of Forfeiture Proceeding – Money Laundering**<sup>7</sup>

*At the end of the forfeiture proceeding, the Government requests that the Court give the following instruction:*

You have found defendant Ross Roggio guilty of money laundering, as charged in Counts 12-15, 17-19, 21-24, and 27-30 of the Superseding Indictment. You now need to consider a special verdict concerning property that the Superseding Indictment alleges is subject to forfeiture by the defendant to the Government. Forfeiture means that the defendant would lose any ownership or interest they have or claim to have in the specified property, as a part of the penalty for engaging in criminal activity. I instruct you that you are bound by your previous finding that Ross Roggio is guilty of the violation of money laundering.

Under federal law, any person convicted of money laundering, in violation of 18 U.S.C. § 1956(a)(2)(A), Counts 12-15, 17-19, 21-24, and 27-30, shall forfeit to the Government any property real or personal,

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<sup>7</sup>Third Circuit Model Criminal Jury Instruction § 6.21.853 Modified (April 2015)

involved in such offense, or any property traceable to the defendants' money laundering violation.

In deciding whether property is subject to forfeiture, you should not concern yourself with or consider whether any other person may own or have an interest in the property. I will resolve any such claims. Similarly, you are not to consider whether the property is presently available. Your only concern is whether the Government has proven the required connection between the property and the offense(s) for which you have found the defendant guilty. The Indictment alleges that because of the connection between this property and the defendant's commission of money laundering in violation of Counts 12-15, 17-19, 21-24, and 27-30, the following property should be forfeited:

- (A) Real property located at 143 Indian Spring Drive, Stroudsburg, Monroe, County, Pennsylvania, Tax Map or Parcel ID Number 07/86262, current owner of record Ross William Roggio, former owner of record and estranged wife of Ross William Roggio, Kristy Merring-Roggio, with all appurtenances, improvements and attachments thereon, legally described as:

ALL THAT CERTAIN lot, tract piece or parcel of land situate in the Township of Hamilton, County of Monroe, and Commonwealth of Pennsylvania, being described as follows, to wit:

Being Lot No. 13, Section Three, Indian Spring Farm, as shown on a plan of Indian Spring Farm (Section Three)

prepared by J. Lavern Marshall drawn June 27, 1988, and recorded in the Office for the Recording Deeds, in and for the County of Monroe, at Stroudsburg, Pennsylvania, in Plot Book 61, Page 116.

- (B) Wells Fargo account #2089401166 titled ROGGIO CONSULTING COMPANY LLC with Ross W. Roggio as an authorized signer on the account;
- (C) Wells Fargo account #2089401158 titled ROGGIO CONSULTING COMPANY LLC with Ross W. Roggio as an authorized signer on the account;
- (D) 2015 BMW Model IS, VIN WBY2Z2C59FV392441 registered to Ross Riggio and Kristy Roggio;
- (E) 2015 Mercedes GL350 BLUETEC, VIN 4JGDF2EEFA606052 registered to Ross William Roggio;
- (F) Four Rolex watches seized from Ross William Roggio more fully described as:
  - 1. Rolex Oyster Perpetual Cosmograph “Daytona” 18K Rose Gold with a chocolate dial with a possible serial no. 4H2E2303;
  - 2. Roles Geneve Cellini 18K Rose Gold with a black leather band and a black dial with a possible serial no. 50525 512F28Q1;
  - 3. Rolex Oyster Perpetual Day Date President with 18K Rose Gold and a possible serial no. H42V39543; and
  - 4. Rolex “Daytona” 18K Yellow Gold, Mother of Pearl and diamond dial with a possible serial no. 8Q0291C3.
- (G) Miscellaneous firearms, scopes, sights, bipods, magnifiers

and other firearms accessories seized from Ross William Roggio:

1. Long Gun: Armory, Armory-15, 5.56 caliber, Serial #A0084;
2. Lyman, Model 1878, 45/70 caliber, serial number #18780392;
3. Item 44A - Scope Leopold S/N 325343AA with FDE Springfield Armory Model M1A 30 cal S/N 336481;
4. Black Silencer Co Supp. Model Specwar 556 S/N SPW-11021;
5. Item 29A- Scope - From Safe in Basement with Black Rifle w/wooden stock Norinco Rifle Model NDM-86 Cal 7.62x54 S/N 701300;
6. 6 Item 26A-Scope Truglo No S/N with Black Ruger with wooden stock Model 10/22 Cal .22 S/N 0005-51177;
7. Item 23A Eotech sight with Black CMMG 9mm short barrel rifle Model MK9 S/N SMT03019;
8. Item 22A Scope Leupold Mark 4scope S/N 161820AB with Black Sig Sauer Model MPX Pistol 9mm S/N

62B02121;

9. Long Gun: KMP Classic Arms, M1919A4, .30 caliber,  
Serial #757163 also #1711;
10. Silencer: Salvo 12, 12 gauge, Serial #SAL12-5198  
Silencer co.;
11. Pistol: Colt, Commemorative Special Ops, .45 caliber,  
Serial #2778280;
12. Pistol: Desert Eagle, S0AE, .50 caliber, Serial #DK-  
0016164;
13. Item 76A: Scope VISM with Long Gun: Ruger, 10/22,  
.22 LR caliber, Serial #824-01532;
14. Long Gun: Ruger, 10/22, .22 LR caliber, Serial #824-  
01532 with Item 76A: scope VISM;
15. Pistol: Heritage, Rough Rider, .22 caliber, Serial  
#C55366;
16. Pistol: Benelli, MP9SE, .22 LR caliber, Serial  
#09070B;
17. Long Gun: CAI, M1 Rifle, 30.06 caliber, Serial  
#M111778;

18. Item 72A scope with Long Gun: Moisen Magont, M91/30, 7.62x54 caliber, Serial #M9130S0361 Item 72A scope;
19. Long Gun: Moisen Magont, M91/30T, 7.62x54 caliber, Serial #M9130S03614 with Item 72A scope;
20. Long Gun: Tikka, T-3, .308 Winchester caliber, Serial #059939;
21. Item 70A: Scope Nikon P-223 with Long Gun: Marlin Firearms Co, XT-22, .22 Mag caliber, Serial #MM31665B;
22. Long Gun: Marlin Firearms Co, XT-22, .22 Mag caliber, Serial #MM31665B with Item 70A: Scope Nikon P-223;
23. Long Gun: Savage Arms, 340D, .222 Rem caliber, Serial #197304;
24. Long Gun: Remington, 870, 12 gauge caliber, Serial #RS77066G;
25. Long Gun: Armory, Armory-15, 5.56 caliber, Serial #A0078;
26. Long Gun: Armory, Armory-15, 5.56 caliber, Serial

#A0079;

27. Long Gun: Armory, Armory-15, 5.56 caliber, Serial

#A0090;

28. Long Gun: Armory, Armory-15, 5.56 caliber, Serial

#A0044;

29. Long Gun: Armory, Armory-15, 5.56 caliber, Serial

#A0082;

30. Long Gun: Armory, Armory-15, 5.56 caliber, Serial

#A0086;

31. Long Gun: Armory, Armory-15, 5.56 caliber, Serial

#A0087;

32. Long Gun: Tactical Innovations Inc, Tl5BDX, 5.56

caliber, Serial #86700667;

33. Long Gun: Armory, Armory-15, 5.56 caliber, Serial

#A0085;

34. Long Gun: Armory, AR-15, 5.56 caliber, Serial #A0083;

35. Long Gun: Century Arms, Centurian 93 Sporter US,

5.56 caliber, Serial #C9315088;

36. Item 55A: Sight Mark red dot with Long Gun: Tactical



Innovations, T15BDX, multi caliber, Serial #86700666;

37. Long Gun: Tactical Innovations, T1SBDX, multi caliber, Serial #86700666 with Item 55A: Sight Mark red dot;
38. Long Gun: Kris, Vector, .45 ACP caliber, Serial #45C016113;
39. Long Gun: Century Arms, Centurian 39 Sporter, 7.62, 39 caliber, Serial #C39WM000661;
40. Long Gun: Romarm, WASR, 7.62 caliber, Serial #A132605-15R0 with Item 52A, Optics, Trijicon RX34;
41. Long Gun: Norinco, model: unknown, 5.56, 45 caliber, Serial #8451316952;
42. Long Gun: Izhmash, Saiga 410, 7.62x39 caliber, Serial #H04200381;
43. Long Gun: Century Arms, 70ABM, 7.62x39 caliber, Serial #WM02-000907;
44. Long Gun: Century Arms, M70-AB2 Sporter, 7.62 caliber, Serial #AB2C103045;
45. Long Gun: Fostech, model: unknown, 12 gauge caliber,

Serial #0000465;

46. Item 46B: Bipod with Long Gun: Smith & Wesson, M&P 15-22, .22LR caliber, Serial #HBW5593;
47. Item 46A: Scope Firefield with Long Gun: Smith & Wesson, M&P 15-22, .22LR caliber, Serial #HBW5593;
48. Long Gun: Smith & Wesson, M&P 15-22, .22LR caliber, Serial #HBW5593 with Item 46A: Scope Firefield;
49. Item 45A: Optic, Trijicon RX34 with Long Gun: Heckler & Koch, SL8-1, .223 caliber, Serial #48007304;
50. Long Gun: Heckler & Koch, SL8-1, .223 caliber, Serial #48007304 with Item 45A: Optic, Trijicon RX34;
51. Long Gun: Kel Tech, RFB, 7.62 caliber, Serial #T2555;
52. Item 43A: Aimpoint Micro H-1 with Long Gun: Sturm Ruger, Ranch Rifle, 5.56 caliber, Serial #583-11246;
53. Long Gun: Sturm Ruger, Ranch Rifle, 5.56 caliber, Serial #583-11246 with Item 43A: Aimpoint Micro H-1;
54. Item 42B: Bipod, with Long Gun: Heckler & Koch, SL8-1, .223 caliber, Serial #48009484;
55. Item 42A: Scope, Leupold with Long Gun: Heckler &

Koch, SL8-1, .223 caliber, Serial #48009484;

56. Long Gun: Heckler & Koch, SL8-1, .223 caliber, Serial #48009484 with Item 42A: Scope, Leupold 1x9;
57. Long Gun: BFI, BACR, Mark 47, multi caliber, Serial #ACRD00647;
58. Item 40B: Optic, EOTECH Magnifier with Long Gun: CMMG Inc., Mark 47, 7.62x39 caliber, Serial #KWT02562;
59. Item 40A: Optic, EOTECH red dot with Long Gun: CMMG Inc., Mark 47, 7.62x39 caliber, Serial #KWT02562;
60. Long Gun: CMMG Inc., Mark 47, 7.62 x 39 caliber, Serial #KWT02562 with Item 40A: Optic, EOTECH red dot;
61. Long Gun: PTR Industries, model: unknown, 3.08 caliber, Serial #AW14102;
62. Item 38B: Optic EOTECH Magnifier with Long Gun: Ruger, SR-556, 5.56 caliber, Serial #594-00633;
63. Item 38A: Optic EOTECH Holographic with Long Gun:

Ruger, SR-556, 5.56 caliber, Serial #594-00633;

64. Long Gun: Ruger, SR-556, 5.56 caliber, Serial #594-00633 with Item 38A: Optic EOTECH Holigraphic;
65. Item 37A: Optics Trijicon Reflex RX34 with Long Gun: FN Hertsal, SCAR, 5.56 caliber, Serial #LC32494;
66. Long Gun: FN Hertsal, SCAR, 5.56 caliber, Serial #LC32494 with Item 37A: Optics Trijicon Reflex RX34;
67. Item 36A: Optics EOTECH with Long Gun: Armory, Armory-15, 5.56 caliber, Serial #A0033;
68. Long Gun: Armory, Armory-15, 5.56 caliber, Serial #A0033 with Item 36A: Optics EOTECH;
69. Item 35A: Optics Trijicon Reflex RX34 with Long Gun: Tavor, SAR, 5.56 caliber, Serial #T0015911;
70. Long Gun: Tavor, SAR, 5.56 caliber, Serial #T0015911 with Item 35A: Optics Trijicon Reflex RX34;
71. Item 34B: Bipod with Long Gun: Remington, Model 700AAC-SD, .300 AAC Blackout caliber, Serial #RR76324C;
72. Item 34A: Scope Zeiss Terra with Long Gun:

Remington, Model 700AAC-SD, .300 AAC Blackout caliber, Serial #RR76324C;

73. Long Gun: Remington, Model 700AAC-SD, .300 AAC Blackout caliber, Serial #RR76324C with Item 34A: Scope Zeiss Terra 3X;
74. Long Gun: Tavor, 5.56 caliber, Serial #T0055070;
75. Item 32A: Scope MSAR PN219 with Long Gun: MSAR, STG556, .223 caliber, Serial #600-P002734;
76. Item 31A: Optics, EOTECH with long Gun: MSAR, XM17E4, .223 caliber, Serial #600-P012022;
77. Long Gun: MSAR, STG556, .223 caliber, Serial #600-P002734 with Item 32A: Scope MSAR PN219;
78. Long Gun: MSAR, XM17E4, .223 caliber, Serial #600-P012022 with Item 31A: Optics, EOTECH;
79. Item 30B: Optics - aimpoint with Pistol: Glock, 17, 9mm caliber, Serial #YBV536;
80. Item 30A: RONI Pistol carbine conversion with Pistol: Glock, 17, 9mm caliber, Serial #YBV536;
81. Pistol: Glock, 17, 9mm caliber, Serial #YBV536, Inside

Item 30A: RONI Pistol carbine conversion;

82. Item 29B: Bipod with Long Gun: Sig Sauer, 7.62mm NATO caliber, Serial #22C013386;
83. Item 29A: Apex Scope with Long Gun: Sig Sauer, 7.62mm NATO caliber, Serial #22C013386;
84. Long Gun: Sig Sauer, model: MR556, 7.62mm NATO caliber, Serial #22C013386 with Item 29A: Apex Scope;
85. Item 28A: Scope ACOG attached to Long Gun: Heckler & Koch, MR556, 5.56mm caliber, Serial #241202064;
86. Long Gun: Heckler & Koch, MR556, 5.56mm caliber, Serial #241202064 with Item 28A: Scope ACOG;
87. Pistol: Ruger, New Vaquero, 45 Colt caliber, Serial #SASS54920;
88. Item 26A Scope Leupold VX-R, Serial # 186502AB with Long Gun: Springfield Armory, M1A, 7.62 Caliber, Serial #347037;
89. Long Gun: Springfield Armory, M1A, 7.62 Caliber, Serial #347037 with Item 26A Scope Leupold VX-R, Serial #186502AB;

90. Item 25B Bipod with Long Gun: Barrett, 82A1, .50 Caliber, Serial #AA003811;
91. Item 25A Scope Leupold Mark 4 with Long Gun: Barrett, 82A1, .50 Caliber, Serial #AA003811;
92. Long Gun: Barrett, 82A1 .50 Caliber, Serial #AA003811 with Item 25A Scope Leupold Mark 4;
93. Item 24B -Bipod - with Long Gun: Weatherby, Mark 4, Caliber unknown, Serial #BW006739;
94. Item 24A Swarovski Z34-12x50 with Long Gun: Weatherby, Mark 4, Caliber unknown, Serial #BW006739;
95. Long Gun: Weatherby, Mark 4, Caliber unknown, Serial #BW006739 with Item 24A Scope Swarovski Z34-12x50;
96. Item 23A Scope Leupold VX-1 Serial #161831AC with Long Gun: RND, Edge .223 Caliber Serial #2931124;
97. Bipod - Item 23B with Long Gun: RND, Edge .223 Caliber Serial #2931124;
98. Long Gun: RND, Edge .223 Caliber Serial #2931124

with Scope Leupold VX-1 Serial #161831AC Item 23B;

99. Bipod - Item 21B with Long Gun: Armory, TAC 338,  
.338 Lapua Mag Caliber Serial #TB30928;
100. Bipod - Item 20B with Long Gun: Armory, TAC 338,  
.338 Lapua Mag Caliber Serial #TB30729 Bipod - Item  
20B;
101. Pistol: Heckler & Koch, 95K, 9mm caliber, Serial  
#215002826;
102. Pistol/Revolver: Ruger, New Vaquero .45 caliber, Serial  
#SASS54919;
103. Pistol/Revolver: Pietta, Cimmarron .45 Caliber, Serial  
#E38704;
104. Leupold Mark 4Scope Item 21A attached to Long Gun:  
Armory, TAC 338, .338 Lapua Mag Caliber Serial  
#TB30928;
105. Long Gun: Armory, TAC 338, .338 Lapua Mag Caliber  
Serial #TB30928 with Leupold Mark 4Scope Item 21A;
106. Leupold Mark 4Scope Item 20A attached to Long Gun:  
Armory, TAC 338, .338 Lapua Mag Caliber Serial



#TB30729;

107. Long Gun: Armory, TAC 338, .338 Lapua Mag Caliber

Serial #TB30729 with Leupold Mark 4Scope Item 20A;

108. Pistol/Revolver: A. Uberti, 1873, model unknown, .45

Caliber, Serial #P37550;

109. Pistol/Revolver: Old Saybrook, Traditions 45 Colt

caliber, Serial #E58949;

110. Pistol/Revolver: Filipietta, model unknown, .44 Caliber,

Serial #653026;

111. Pistol/Revolver: Ruger, New Vaquero .45 colt caliber,

Serial #512-64623;

112. Pistol/Revolver: A. Uberti, 1873 .45 colt caliber, Serial

#TC6294;

113. Pistol/Revolver: A. Uberti, Cimarron .45 colt caliber,

Serial #P37551;

114. 6A Scope Hi-Lux Optics Serial #003175 attached to

Long Gun: RRMW, Replica 1903, 30.06 Serial

#3998129, 6A Scope Hi-Lux Optics Serial #003175;

115. Item 3A Sight Mark Optics attached to Long Gun;

Masterpiece Arms, Defender, 9mm caliber, Serial  
#B985076;

116. Pistol/Revolver: Old Saybrook CZ, Traditions 45 colt  
caliber, Serial #E57108;

117. Long Gun: Taurus, R92 .45 Colt caliber Serial  
#AM217918;

118. Long Gun: CZ-USA, Huglu Hammer Classic Shotgun,  
12 Gauge Serial #15O3244.

119. Long Gun: Taurus, R92 .45 Colt caliber Serial  
#51T20531;

120. Long Gun: RRMW, Replica 1903, 30.06 Serial  
#3998129, 6A Scope Hi-Lux Optics Serial #003175;

121. Long Gun; DSA SA58 .308 Caliber Serial #DS41249;

122. Long Gun; FNH Scar 17S, 7.62x51mm Serial  
#HC43137;

123. Long Gun; Masterpiece Arms, Defender, 9mm caliber,  
Serial #FJ00408 with Item 3A Optics;

124. Long Gun; CZ-USA Scorpion EV0351 9x19mm Serial  
#EV0351;

- 125. Long gun: Sig Sauer, MPX 9mm Serial #62B023427;
- 126. FDE Springfield Armory Model M1A 30 cal S/N 336481  
with Item 44A - Scope Leopold S/N 325343AA.
- 127. Black Advanced Armament Corp Suppressor Model  
Cyclops 50 S/N 500330 in case;
- 128. FDE Surefire Suppressor SOCOM556 S/N A51N01332;
- 129. FDE Surefire Suppressor SOCOM556 S/N A51N01331;
- 130. Black SWR Suppressor Mod Specwar S/N SW762-2289;
- 131. Black Silencer Co Supp. Model Specwar 556 S/N SPW-  
11020;
- 132. Black Griffin Armament Suppressor Model RECCES  
S/N REC5-0027;
- 133. 1Black Silencer co Suppressor Specwar S/N SW-762-  
4578;
- 134. Black Griffin Armament Suppressor Model Recces S/N  
REC5-0026;
- 135. Black Griffin Armament Suppressor Model Spartan3  
S/N SP3-0080;
- 136. Black YHM Suppressor Mod. Phantom M2 S/N

Y19391;

137. Black YHM Suppressor Mod. Phantom M2 S/N

Y17980;

138. Black TBAC Suppressor Model 3388A S/N 51491;

139. Black TBAC Suppressor Model 3388A S/N 51490;

140. Black Rifle w/wooden stock Norinco Rifle Model NDM-

86 Cal 7.62x54 S/N 701300 with Item 29A- Scope -

From Safe in Basement;

141. Black Armory AR-15 rifle Model Armory-15 .223 cal

S/N A0091 From Safe in Basement;

142. OD green P of USA AR-10 Rifle Model P-308 S/N

12BA-13062 .38cal;

143. Black Ruger with wooden stock Model 10/22 Cal .22

S/N 0005-51177 with Item 26A- Scope Truglo;

144. Black Armory AR15 Rifle Model Armory-15 cal .223

S/N A0092;

145. Black Zenith firearms short barrel rifle Model

MKEZ5RS 9mm S/N T0624-15BH01066;

146. Black CMMG 9mm short barrel rifle Model MK9 S/N

SMT03019 with Item 23A EOTECH sight attached;

147. Item 22B - Black Suppressor attached to item #22,  
Griffin Armament Suppressor Revolution 9mm S/N  
REV9-0232.
148. Black Sig Sauer Model MPX Pistol 9mm S/N 62B02121  
with Item 22A Scope Leupold Mark 4scope S/N  
161820AB and Item 22B Black suppressor attached to  
item #22, S/N REV9-0232;
149. Black Zenith Firearms short barrel rifle Model  
MKE25P 9mm S/N T0624-15BK00800;
150. Attached to Item #19 Black Advanced Armament Corp.  
Suppressor Model element #2, S/N E106548;
151. Black Walther Model P22 22cal S/N WA094850 with  
attached Item 20 Black Advanced Armament Corp.  
Suppressor Model element# 2 S/N E106548;
152. Item 17A- Black Griffin Armament Suppressor  
Revolution 9 S/N REV9-0294 with Black/Tan  
Springfield Armory Model XD9 pistol S/N MG436167  
9mm;

- 153. Black/Tan Springfield Armory Model XD9 pistol,  
caliber 9mm, S/N MG436167 9mm with Item 17A  
Black Griffin Armament Suppressor Revolution 9 S/N  
REV9-0294;
- 154. Black Springfield Armory Operator 45 cal. pistol S/N  
LW132150;
- 155. Black Glock Model 19 9mm pistol S/N ZFW272;
- 156. Black Colt Cobra 38 Spec. revolver S/N A73054;
- 157. Black Colt Python 357 mag. revolver S/N 82749E;
- 158. Black Colt Python 357 mag. revolver S/N K39803;
- 159. Black Colt Python 357 mag. revolver S/N 42376E;
- 160. Black Springfield Armory Champion Operator 45 cal  
pistol S/N LW134249;
- 161. Black Berretta 92FS 9mm S/N BER678157;
- 162. Silver Colt Anaconda 44 mag revolver S/N MM48433;
- 163. Black Glock Model 17 9mm S/N YZA710;
- 164. Springfield Armory NRA 125th Anniversary #295 of  
525, model 1076, 45 cal. S/N N342895;
- 165. Silver Smith & Wesson pistol Model 1076, caliber

unknown, serial: THB9323;

166. Black Silencer Suppressor Model Octane 45 HD S/N

OCT45-5275;

167. Black Remington Model 1911 RI Pistol 45 cal. Serial:

RHN39374A;

168. Black Glock Pistol Model 26 9mm S/N ZAN199; and

169. Black Smith & Wesson Pro Series 45 cal. S/N

UCW6022.

This property is subject to forfeiture if you find that the Government has proved by a preponderance of the evidence that the property was involved in such offense or is property traceable to the offense.

Property that is considered “involved in” property of money laundering in violation of 18 U.S.C. § 1956(a)(2)(A), Counts 12-15, 17-19, 21-24, and 27-30, includes:

(1) Illegal monetary transactions of criminally derived property.

Property that is considered “traceable” property of money laundering, in violation of 18 U.S.C. § 1956(a)(2)(A), Counts 12-15, 17-19, 21-24, and 27-30, includes:

- (1) property to which you can trace, in any way, to property that was involved as proceeds or facilitating property in the money laundering violation.

You are instructed that forfeitable property includes any property, real or personal, involved in such offense, or any property traceable to such property as a result of the defendant's money laundering violation.



**GOVERNMENT'S REQUEST NO. 8**

**Forfeiture Instructions at End of Forfeiture Proceeding – Money Laundering<sup>8</sup>**

*At the end of the forfeiture proceeding, the Government requests that the Court give the following instruction:*

You have found defendant Ross Roggio guilty of money laundering, as charged in Counts 31-34, and 36-39 of the Superseding Indictment. You now need to consider a special verdict concerning property that the Superseding Indictment alleges is subject to forfeiture by the defendant to the Government. Forfeiture means that the defendant would lose any ownership or interest they have or claim to have in the specified property, as a part of the penalty for engaging in criminal activity. I instruct you that you are bound by your previous finding that Ross Roggio is guilty of the violation of money laundering.

Under federal law, any person convicted of money laundering, in violation of 18 U.S.C. § 1956(a)(2)(A), Counts 31-34, and 36-39, shall forfeit to the Government any property real or personal, involved in

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<sup>8</sup>Third Circuit Model Criminal Jury Instruction § 6.21.853 Modified (April 2015)

such offense, or any property traceable to the defendants' money laundering violation.

In deciding whether property is subject to forfeiture, you should not concern yourself with or consider whether any other person may own or have an interest in the property. I will resolve any such claims. Similarly, you are not to consider whether the property is presently available. Your only concern is whether the Government has proven the required connection between the property and the offense(s) for which you have found the defendant guilty. The Indictment alleges that because of the connection between this property and the defendant's commission of money laundering in violation of Counts 31-34, and 36-39, the following property should be forfeited:

- (E) Real property located at 143 Indian Spring Drive, Stroudsburg, Monroe, County, Pennsylvania, Tax Map or Parcel ID Number 07/86262, current owner of record Ross William Roggio, former owner of record and estranged wife of Ross William Roggio, Kristy Merring-Roggio, with all appurtenances, improvements and attachments thereon, legally described as:

ALL THAT CERTAIN lot, tract piece or parcel of land situate in the Township of Hamilton, County of Monroe, and Commonwealth of Pennsylvania, being described as follows, to wit:

Being Lot No. 13, Section Three, Indian Spring Farm, as shown on a plan of Indian Spring Farm (Section Three) prepared by J. Lavern Marshall drawn June 27, 1988, and recorded in the Office for the Recording Deeds, in and for the County of Monroe, at Stroudsburg, Pennsylvania, in Plot Book 61, Page 116.

- (F) Wells Fargo account #2089401166 titled ROGGIO CONSULTING COMPANY LLC with Ross W. Roggio as an authorized signer on the account;
- (G) Wells Fargo account #2089401158 titled ROGGIO CONSULTING COMPANY LLC with Ross W. Roggio as an authorized signer on the account;
- (H) 2015 BMW Model IS, VIN WBY2Z2C59FV392441 registered to Ross Riggio and Kristy Riggio;
- (E) 2015 Mercedes GL350 BLUETEC, VIN 4JGDF2EEFA606052 registered to Ross William Roggio;
- (F) Four Rolex watches seized from Ross William Roggio more fully described as:
  - 5. Rolex Oyster Perpetual Cosmograph “Daytona” 18K Rose Gold with a chocolate dial with a possible serial no. 4H2E2303;
  - 6. Roles Geneve Cellini 18K Rose Gold with a black leather band and a black dial with a possible serial no. 50525 512F28Q1;
  - 7. Rolex Oyster Perpetual Day Date President with 18K Rose Gold and a possible serial no. H42V39543; and
  - 8. Rolex “Daytona” 18K Yellow Gold, Mother of Pearl and diamond dial with a possible serial no. 8Q0291C3.

(G) Miscellaneous firearms, scopes, sights, bipods, magnifiers and other firearms accessories seized from Ross William Roggio:

170. Long Gun: Armory, Armory-15, 5.56 caliber, Serial #A0084;

1. Lyman, Model 1878, 45/70 caliber, serial number #18780392;
2. Item 44A - Scope Leopold S/N 325343AA with FDE Springfield Armory Model M1A 30 cal S/N 336481;
3. Black Silencer Co Supp. Model Specwar 556 S/N SPW-11021;
4. Item 29A- Scope - From Safe in Basement with Black Rifle w/wooden stock Norinco Rifle Model NDM-86 Cal 7.62x54 S/N 701300;
5. 6 Item 26A-Scope Truglo No S/N with Black Ruger with wooden stock Model 10/22 Cal .22 S/N 0005-51177;
6. Item 23A Eotech sight with Black CMMG 9mm short barrel rifle Model MK9 S/N SMT03019;
7. Item 22A Scope Leupold Mark 4scope S/N 161820AB

with Black Sig Sauer Model MPX Pistol 9mm S/N  
62B02121;

8. Long Gun: KMP Classic Arms, M1919A4, .30 caliber,  
Serial #757163 also #1711;
9. Silencer: Salvo 12, 12 gauge, Serial #SAL12-5198  
Silencer co.;
10. Pistol: Colt, Commemorative Special Ops, .45 caliber,  
Serial #2778280;
11. Pistol: Desert Eagle, S0AE, .50 caliber, Serial #DK-  
0016164;
12. Item 76A: Scope VISM with Long Gun: Ruger, 10/22,  
.22 LR caliber, Serial #824-01532;
13. Long Gun: Ruger, 10/22, .22 LR caliber, Serial #824-  
01532 with Item 76A: scope VISM;
14. Pistol: Heritage, Rough Rider, .22 caliber, Serial  
#C55366;
15. Pistol: Benelli, MP9SE, .22 LR caliber, Serial  
#09070B;
16. Long Gun: CAI, M1 Rifle, 30.06 caliber, Serial

#M111778;

17. Item 72A scope with Long Gun: Moisen Magont, M91/30, 7.62x54 caliber, Serial #M9130S0361 Item 72A scope;
18. Long Gun: Moisen Magont, M91/30T, 7.62x54 caliber, Serial #M9130S03614 with Item 72A scope;
19. Long Gun: Tikka, T-3, .308 Winchester caliber, Serial #059939;
20. Item 70A: Scope Nikon P-223 with Long Gun: Marlin Firearms Co, XT-22, .22 Mag caliber, Serial #MM31665B;
21. Long Gun: Marlin Firearms Co, XT-22, .22 Mag caliber, Serial #MM31665B with Item 70A: Scope Nikon P-223;
22. Long Gun: Savage Arms, 340D, .222 Rem caliber, Serial #197304;
23. Long Gun: Remington, 870, 12 gauge caliber, Serial #RS77066G;
24. Long Gun: Armory, Armory-15, 5.56 caliber, Serial #A0078;

25. Long Gun: Armory, Armory-15, 5.56 caliber, Serial #A0079;
26. Long Gun: Armory, Armory-15, 5.56 caliber, Serial #A0090;
27. Long Gun: Armory, Armory-15, 5.56 caliber, Serial #A0044;
28. Long Gun: Armory, Armory-15, 5.56 caliber, Serial #A0082;
29. Long Gun: Armory, Armory-15, 5.56 caliber, Serial #A0086;
30. Long Gun: Armory, Armory-15, 5.56 caliber, Serial #A0087;
31. Long Gun: Tactical Innovations Inc, Tl5BDX, 5.56 caliber, Serial #86700667;
32. Long Gun: Armory, Armory-15, 5.56 caliber, Serial #A0085;
33. Long Gun: Armory, AR-15, 5.56 caliber, Serial #A0083;
34. Long Gun: Century Arms, Centurian 93 Sporter US, 5.56 caliber, Serial #C9315088;

35. Item 55A: Sight Mark red dot with Long Gun: Tactical Innovations, T15BDX, multi caliber, Serial #86700666;
36. Long Gun: Tactical Innovations, T1SBDX, multi caliber, Serial #86700666 with Item 55A: Sight Mark red dot;
37. Long Gun: Kris, Vector, .45 ACP caliber, Serial #45C016113;
38. Long Gun: Century Arms, Centurian 39 Sporter, 7.62, 39 caliber, Serial #C39WM000661;
39. Long Gun: Romarm, WASR, 7.62 caliber, Serial #A132605-15R0 with Item 52A, Optics, Trijicon RX34;
40. Long Gun: Norinco, model:unknown, 5.56, 45 caliber, Serial #8451316952;
41. Long Gun: Izhmash, Saiga 410, 7.62x39 caliber, Serial #H04200381;
42. Long Gun: Century Arms, 70ABM, 7.62x39 caliber, Serial #WM02-000907;
43. Long Gun: Century Arms, M70-AB2 Sporter, 7.62 caliber, Serial #AB2C103045;



44. Long Gun: Fostech, model: unknown, 12 gauge caliber, Serial #0000465;
45. Item 46B: Bipod with Long Gun: Smith & Wesson, M&P 15-22, .22LR caliber, Serial #HBW5593;
46. Item 46A: Scope Firefield with Long Gun: Smith & Wesson, M&P 15-22, .22LR caliber, Serial #HBW5593;
47. Long Gun: Smith & Wesson, M&P 15-22, .22LR caliber, Serial #HBW5593 with Item 46A: Scope Firefield;
48. Item 45A: Optic, Trijicon RX34 with Long Gun: Heckler & Koch, SL8-1, .223 caliber, Serial #48007304;
49. Long Gun: Heckler & Koch, SL8-1, .223 caliber, Serial #48007304 with Item 45A: Optic, Trijicon RX34;
50. Long Gun: Kel Tech, RFB, 7.62 caliber, Serial #T2555;
51. Item 43A: Aimpoint Micro H-1 with Long Gun: Sturm Ruger, Ranch Rifle, 5.56 caliber, Serial #583-11246;
52. Long Gun: Sturm Ruger, Ranch Rifle, 5.56 caliber, Serial #583-11246 with Item 43A: Aimpoint Micro H-1;
53. Item 42B: Bipod, with Long Gun: Heckler & Koch, SL8-1, .223 caliber, Serial #48009484;

- 54. Item 42A: Scope, Leupold with Long Gun: Heckler & Koch, SL8-1, .223 caliber, Serial #48009484;
- 55. Long Gun: Heckler & Koch, SL8-1, .223 caliber, Serial #48009484 with Item 42A: Scope, Leupold 1x9;
- 56. Long Gun: BFI, BACR, Mark 47, multi caliber, Serial #ACRD00647;
- 57. Item 40B: Optic, EOTECH Magnifier with Long Gun: CMMG Inc., Mark 47, 7.62x39 caliber, Serial #KWT02562;
- 58. Item 40A: Optic, EOTECH red dot with Long Gun: CMMG Inc., Mark 47, 7.62x39 caliber, Serial #KWT02562;
- 59. Long Gun: CMMG Inc., Mark 47, 7.62 x 39 caliber, Serial #KWT02562 with Item 40A: Optic, EOTECH red dot;
- 60. Long Gun: PTR Industries, model: unknown, 3.08 caliber, Serial #AW14102;
- 61. Item 38B: Optic EOTECH Magnifier with Long Gun: Ruger, SR-556, 5.56 caliber, Serial #594-00633;

- 62. Item 38A: Optic EOTECH Holigraphic with Long Gun:  
Ruger, SR-556, 5.56 caliber, Serial #594-00633;
- 63. Long Gun: Ruger, SR-556, 5.56 caliber, Serial #594-  
00633 with Item 38A: Optic EOTECH Holigraphic;
- 64. Item 37A: Optics Trijicon Reflex RX34 with Long Gun:  
FN Hertsal, SCAR, 5.56 caliber, Serial #LC32494;
- 65. Long Gun: FN Hertsal, SCAR, 5.56 caliber, Serial  
#LC32494 with Item 37A: Optics Trijicon Reflex RX34;
- 66. Item 36A: Optics EOTECH with Long Gun: Armory,  
Armory-15, 5.56 caliber, Serial #A0033;
- 67. Long Gun: Armory, Armory-15, 5.56 caliber, Serial  
#A0033 with Item 36A: Optics EOTECH;
- 68. Item 35A: Optics Trijicon Reflex RX34 with Long Gun:  
Tavor, SAR, 5.56 caliber, Serial #T0015911;
- 69. Long Gun: Tavor, SAR, 5.56 caliber, Serial #T0015911  
with Item 35A: Optics Trijicon Reflex RX34;
- 70. Item 34B: Bipod with Long Gun: Remington, Model  
700AAC-SD, .300 AAC Blackout caliber, Serial  
#RR76324C;

- 71. Item 34A: Scope Zeiss Terra with Long Gun:  
Remington, Model 700AAC-SD, .300 AAC Blackout  
caliber, Serial #RR76324C;
- 72. Long Gun: Remington, Model 700AAC-SD, .300 AAC  
Blackout caliber, Serial #RR76324C with Item 34A:  
Scope Zeiss Terra 3X;
- 73. Long Gun: Tavor, 5.56 caliber, Serial #T0055070;
- 74. Item 32A: Scope MSAR PN219 with Long Gun: MSAR,  
STG556, .223 caliber, Serial #600-P002734;
- 75. Item 31A: Optics, EOTECH with long Gun: MSAR,  
XM17E4, .223 caliber, Serial #600-P012022;
- 76. Long Gun: MSAR, STG556, .223 caliber, Serial #600-  
P002734 with Item 32A: Scope MSAR PN219;
- 77. Long Gun: MSAR, XM17E4, .223 caliber, Serial #600-  
P012022 with Item 31A: Optics, EOTECH;
- 78. Item 30B: Optics - aimpoint with Pistol: Glock, 17,  
9mm caliber, Serial #YBV536;
- 79. Item 30A: RONI Pistol carbine conversion with Pistol:  
Glock, 17, 9mm caliber, Serial #YBV536;

- 80. Pistol: Glock, 17, 9mm caliber, Serial #YBV536, Inside  
Item 30A: RONI Pistol carbine conversion;
- 81. Item 29B: Bipod with Long Gun: Sig Sauer, 7.62mm  
NATO caliber, Serial #22C013386;
- 82. Item 29A: Apex Scope with Long Gun: Sig Sauer,  
7.62mm NATO caliber, Serial #22C013386;
- 83. Long Gun: Sig Sauer, model: MR556, 7.62mm NATO  
caliber, Serial #22C013386 with Item 29A: Apex Scope;
- 84. Item 28A: Scope ACOG attached to Long Gun: Heckler  
& Koch, MR556, 5.56mm caliber, Serial #241202064;
- 85. Long Gun: Heckler & Koch, MR556, 5.56mm caliber,  
Serial #241202064 with Item 28A: Scope ACOG;
- 86. Pistol: Ruger, New Vaquero, 45 Colt caliber, Serial  
#SASS54920;
- 87. Item 26A Scope Leupold VX-R, Serial # 186502AB with  
Long Gun: Springfield Armory, M1A, 7.62 Caliber,  
Serial #347037;
- 88. Long Gun: Springfield Armory, M1A, 7.62 Caliber,  
Serial #347037 with Item 26A Scope Leupold VX-R,

Serial #186502AB;

89. Item 25B Bipod with Long Gun: Barrett, 82A1, .50 Caliber, Serial #AA003811;
90. Item 25A Scope Leupold Mark 4 with Long Gun: Barrett, 82A1, .50 Caliber, Serial #AA003811;
91. Long Gun: Barrett, 82A1 .50 Caliber, Serial #AA003811 with Item 25A Scope Leupold Mark 4;
92. Item 24B -Bipod - with Long Gun: Weatherby, Mark 4, Caliber unknown, Serial #BW006739;
93. Item 24A Swarovski Z34-12x50 with Long Gun: Weatherby, Mark 4, Caliber unknown, Serial #BW006739;
94. Long Gun: Weatherby, Mark 4, Caliber unknown, Serial #BW006739 with Item 24A Scope Swarovski Z34-12x50;
95. Item 23A Scope Leupold VX-1 Serial #161831AC with Long Gun: RND, Edge .223 Caliber Serial #2931124;
96. Bipod - Item 23B with Long Gun: RND, Edge .223 Caliber Serial #2931124;

97. Long Gun: RND, Edge .223 Caliber Serial #2931124  
with Scope Leupold VX-1 Serial #161831AC Item 23B;
98. Bipod - Item 21B with Long Gun: Armory, TAC 338,  
.338 Lapua Mag Caliber Serial #TB30928;
99. Bipod - Item 20B with Long Gun: Armory, TAC 338,  
.338 Lapua Mag Caliber Serial #TB30729 Bipod - Item  
20B;
100. Pistol: Heckler & Koch, 95K, 9mm caliber, Serial  
#215002826;
101. Pistol/Revolver: Ruger, New Vaquero .45 caliber, Serial  
#SASS54919;
102. Pistol/Revolver: Pietta, Cimmaron .45 Caliber, Serial  
#E38704;
103. Leupold Mark 4Scope Item 21A attached to Long Gun:  
Armory, TAC 338, .338 Lapua Mag Caliber Serial  
#TB30928;
104. Long Gun: Armory, TAC 338, .338 Lapua Mag Caliber  
Serial #TB30928 with Leupold Mark 4Scope Item 21A;
105. Leupold Mark 4Scope Item 20A attached to Long Gun:

Armory, TAC 338, .338 Lapua Mag Caliber Serial  
#TB30729;

106. Long Gun: Armory, TAC 338, .338 Lapua Mag Caliber  
Serial #TB30729 with Leupold Mark 4Scope Item 20A;

107. Pistol/Revolver: A. Uberti, 1873, model unknown, .45  
Caliber, Serial #P37550;

108. Pistol/Revolver: Old Saybrook, Traditions 45 Colt  
caliber, Serial #E58949;

109. Pistol/Revolver: Filipietta, model unknown, .44 Caliber,  
Serial #653026;

110. Pistol/Revolver: Ruger, New Vaquero .45 colt caliber,  
Serial #512-64623;

111. Pistol/Revolver: A. Uberti, 1873 .45 colt caliber, Serial  
#TC6294;

112. Pistol/Revolver: A. Uberti, Cimarron .45 colt caliber,  
Serial #P37551;

113. 6A Scope Hi-Lux Optics Serial #003175 attached to  
Long Gun: RRMW, Replica 1903, 30.06 Serial  
#3998129, 6A Scope Hi-Lux Optics Serial #003175;



- 114. Item 3A Sight Mark Optics attached to Long Gun;  
Masterpiece Arms, Defender, 9mm caliber, Serial  
#B985076;
- 115. Pistol/Revolver: Old Saybrook CZ, Traditions 45 colt  
caliber, Serial #E57108;
- 116. Long Gun: Taurus, R92 .45 Colt caliber Serial  
#AM217918;
- 117. Long Gun: CZ-USA, Huglu Hammer Classic Shotgun,  
12 Gauge Serial #15O3244.
- 118. Long Gun: Taurus, R92 .45 Colt caliber Serial  
#51T20531;
- 119. Long Gun: RRMW, Replica 1903, 30.06 Serial  
#3998129, 6A Scope Hi-Lux Optics Serial #003175;
- 120. Long Gun; DSA SA58 .308 Caliber Serial #DS41249;
- 121. Long Gun; FNH Scar 17S, 7.62x51mm Serial  
#HC43137;
- 122. Long Gun; Masterpiece Arms, Defender, 9mm caliber,  
Serial #FJ00408 with Item 3A Optics;
- 123. Long Gun; CZ-USA Scorpion EV0351 9x19mm Serial

#EV0351;

- 124. Long gun: Sig Sauer, MPX 9mm Serial #62B023427;
- 125. FDE Springfield Armory Model M1A 30 cal S/N 336481  
with Item 44A - Scope Leopold S/N 325343AA.
- 126. Black Advanced Armament Corp Suppressor Model  
Cyclops 50 S/N 500330 in case;
- 127. FDE Surefire Suppressor SOCOM556 S/N A51N01332;
- 128. FDE Surefire Suppressor SOCOM556 S/N A51N01331;
- 129. Black SWR Suppressor Mod Specwar S/N SW762-2289;
- 130. Black Silencer Co Supp. Model Specwar 556 S/N SPW-  
11020;
- 131. Black Griffin Armament Suppressor Model RECCES  
S/N REC5-0027;
- 132. 1Black Silencer co Suppressor Specwar S/N SW-762-  
4578;
- 133. Black Griffin Armament Suppressor Model Recces S/N  
REC5-0026;
- 134. Black Griffin Armament Suppressor Model Spartan3  
S/N SP3-0080;

- 135. Black YHM Suppressor Mod. Phantom M2 S/N  
Y19391;
- 136. Black YHM Suppressor Mod. Phantom M2 S/N  
Y17980;
- 137. Black TBAC Suppressor Model 3388A S/N 51491;
- 138. Black TBAC Suppressor Model 3388A S/N 51490;
- 139. Black Rifle w/wooden stock Norinco Rifle Model NDM-  
86 Cal 7.62x54 S/N 701300 with Item 29A- Scope -  
From Safe in Basement;
- 140. Black Armory AR-15 rifle Model Armory-15 .223 cal  
S/N A0091 From Safe in Basement;
- 141. OD green P of USA AR-10 Rifle Model P-308 S/N  
12BA-13062 .38cal;
- 142. Black Ruger with wooden stock Model 10/22 Cal .22  
S/N 0005-51177 with Item 26A- Scope Truglo;
- 143. Black Armory AR15 Rifle Model Armory-15 cal .223  
S/N A0092;
- 144. Black Zenith firearms short barrel rifle Model  
MKEZ5RS 9mm S/N T0624-15BH01066;

- 145. Black CMMG 9mm short barrel rifle Model MK9 S/N SMT03019 with Item 23A EOTECH sight attached;
- 146. Item 22B - Black Suppressor attached to item #22, Griffin Armament Suppressor Revolution 9mm S/N REV9-0232.
- 147. Black Sig Sauer Model MPX Pistol 9mm S/N 62B02121 with Item 22A Scope Leupold Mark 4scope S/N 161820AB and Item 22B Black suppressor attached to item #22, S/N REV9-0232;
- 148. Black Zenith Firearms short barrel rifle Model MKE25P 9mm S/N T0624-15BK00800;
- 149. Attached to Item #19 Black Advanced Armament Corp. Suppressor Model element #2, S/N E106548;
- 150. Black Walther Model P22 22cal S/N WA094850 with attached Item 20 Black Advanced Armament Corp. Suppressor Model element# 2 S/N E106548;
- 151. Item 17A- Black Griffin Armament Suppressor Revolution 9 S/N REV9-0294 with Black/Tan Springfield Armory Model XD9 pistol S/N MG436167

9mm;

152. Black/Tan Springfield Armory Model XD9 pistol,  
caliber 9mm, S/N MG436167 9mm with Item 17A  
Black Griffin Armament Suppressor Revolution 9 S/N  
REV9-0294;
153. Black Springfield Armory Operator 45 cal. pistol S/N  
LW132150;
154. Black Glock Model 19 9mm pistol S/N ZFW272;
155. Black Colt Cobra 38 Spec. revolver S/N A73054;
156. Black Colt Python 357 mag. revolver S/N 82749E;
157. Black Colt Python 357 mag. revolver S/N K39803;
158. Black Colt Python 357 mag. revolver S/N 42376E;
159. Black Springfield Armory Champion Operator 45 cal  
pistol S/N LW134249;
160. Black Berretta 92FS 9mm S/N BER678157;
161. Silver Colt Anaconda 44 mag revolver S/N MM48433;
162. Black Glock Model 17 9mm S/N YZA710;
163. Springfield Armory NRA 125th Anniversary #295 of  
525, model 1076, 45 cal. S/N N342895;

164. Silver Smith & Wesson pistol Model 1076, caliber unknown, serial: THB9323;

165. Black Silencer Suppressor Model Octane 45 HD S/N OCT45-5275;

166. Black Remington Model 1911 RI Pistol 45 cal. Serial: RHN39374A;

167. Black Glock Pistol Model 26 9mm S/N ZAN199; and

168. Black Smith & Wesson Pro Series 45 cal. S/N UCW6022.

This property is subject to forfeiture if you find that the Government has proved by a preponderance of the evidence that the property was involved in such offense or is property traceable to the offense.

Property that is considered “involved in” property of money laundering in violation of 18 U.S.C. § 1956(a)(2)(A), Counts 31-34, and 36-39, includes:

(1) Illegal monetary transactions of criminally derived property.

Property that is considered “traceable” property of money laundering, in violation of 18 U.S.C. § 1956(a)(2)(A), Counts

31-34, and 36-39, includes:

- (1) property to which you can trace, in any way, to property that was involved as proceeds or facilitating property in the money laundering violation.

You are instructed that forfeitable property includes any property, real or personal, involved in such offense, or any property traceable to such property as a result of the defendant's money laundering violation.

**GOVERNMENT'S REQUEST NO. 9**

**Forfeiture Instructions at End of Forfeiture Proceeding –  
Preponderance of Evidence Defined**<sup>9</sup>

*At the end of the forfeiture proceeding, the Government requests that the Court give the following instruction:*

The Government's burden of proof for forfeiture is a preponderance of the evidence. Preponderance of the evidence is a lower standard than proof beyond a reasonable doubt, which is the standard you applied in your previous deliberations. To prove something by a preponderance of the evidence means to prove that it is more likely true than not true. If you put the credible evidence that is favorable to the Government and the credible evidence that is favorable to the defendant on opposite sides of a scale, the scale would have to tip somewhat on the Government's side in order for you to find that the property is subject to forfeiture. However, if the scale tips in favor of the defendant, or if the credible evidence appears to be equally balanced, or if you cannot say on which side the credible evidence is weightier, then you must find that the property is not subject to forfeiture.

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<sup>9</sup>Third Circuit Model Criminal Jury Instruction § 6.21.853 Modified (April 2015)



In making this determination, you should consider all of the evidence presented on the subject during this proceeding and during the trial, regardless of who offered it. All of my previous instructions continue to apply, and you should evaluate the evidence and its credibility according to the instructions I gave you earlier.

**GOVERNMENT'S REQUEST NO. 10**

**Forfeiture Instructions at End of Forfeiture Proceeding – Special Verdict Form** <sup>10</sup>

*At the end of the forfeiture proceeding, the Government requests that the Court give the following instruction:*

A Special Verdict Form has been prepared for your use. With respect to each item of property, you are asked to decide whether it is subject to forfeiture to the Government, based on the reasons I have explained to you. Your decision must be unanimous. Indicate on each verdict form whether you find that the property listed is subject to forfeiture, and then the foreperson should sign and date the form.

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<sup>10</sup> Third Circuit Model Criminal Jury Instruction § 6.21.853 Modified (April 2015)

**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that she is an employee in the Office of the United States Attorney for the Middle District of Pennsylvania and is a person of such age and discretion as to be competent to serve papers.

That on May 15, 2023, he served a copy of the attached:

**GOVERNMENT'S PROPOSED FORFEITURE JURY INSTRUCTIONS**

via ECF on Gino Bartaloi, Esq., counsel for defendant Ross Roggio.

s/ Todd K. Hinkley  
TODD K. HINKLEY  
Assistant U.S. Attorney